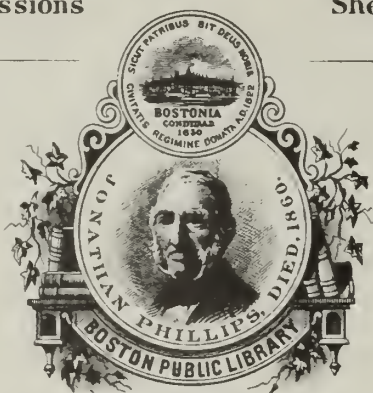


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THE
ANTIQUITIES OF GAINFORD.

In the County of Durham ;

COMPRISING THE BARONIAL AND ECCLESIASTICAL HISTORY OF
THAT PLACE,

AND OF

BARNARDCASTLE :

WITH ACCOUNTS OF THE

Township of Healdlam, and Chapelry of Denton,

ETC., ETC

BY

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AND LOCAL SECRETARY OF THE ARCHEOLOGICAL INSTITUTE OF
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Feb 6, 1924

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GAINFORD CHURCH, SOUTH EAST.

THE
HISTORY OF GAINFORD.



THE river Tees, in its long and winding course through the valley which bears its name, forms the boundary between the counties of York and Durham. After enriching some of the most beautiful and romantic landscape scenery in the north of England, and presenting an aspect the most diversified—now falling, as we leave its source, over successive rocky precipices ; now rippling over its broad pebbly bed ; anon gliding smooth, deep, and glassy among rich verdant pastures in the bottom of the dell ; then tearing away in a less pent up, but more rugged channel—it at length swells into a considerable and powerful torrent ; and, after washing the base of the

the hands of the Nevilles of Raby, and to have been forfeited to the Crown on the attainder of Charles, seventh Earl of Westmoreland, in 1569; but there seems to be no authority for such a statement, as will be shewn hereafter.

Towards the close of the sixteenth century, the lands in Gainford manor seem to have been granted and distributed in a multitude of small freeholds.* In Gainford township the Cradoeks acquired that major portion which is still enjoyed, with subsequent augmentations, by their descendant; and the families of Garth, Birkbeek, and others of less note, the compact estates they soon after appear as holding in Headlam, Langton, Morton, and other places around; and which now, after a succession of changes, have nearly all centered in the lord of Raby.

The manorial rights remained vested in the Crown,† with some intermediate grants and resumptions, until purchased, about the year

* In 1686 the freeholders within the Constabulary of Gainford were, Sir Richard Sandford, bart., of Howgill in Westmoreland; Richard Cradoek, Esq., of London; Thomas Cradoeke, Esq., of Durham, Counsellor-at-law; Gilbert Marshall, of Sellaby, Esq.; Cuthbert Rayne, gent.; Henry Eden, of Gainford, gent.; Robert Stoddert; John Burrell; John Rayne, of Snow Hall, gent.; Francis Blakiston; and Richard Swainston.

In a very curious canvassing book at Streatlam, drawn up sometime previous to the election of Mr. George Bowes, as one of the Members of the County of Durham, 1741, the following freeholders in Gainford are mentioned, with their replies to his solicitations:

<i>Place of Freehold.</i>	<i>Voters' Names.</i>	<i>Place of Abode.</i>	<i>Visited 22 Nov. 1739.</i>
Gainford	Rev. Mr. Malled	Gainford	pro. self when I call'd at his house
"	Mr. John Eden	"	In Durham List
"	Mr. John Steel	"	pro. self, single, several times at Durham.
"	Mr. Rayne	Durham	pro. in Durham List.
Q "	Mr. Job Snowdon	Gainford	No vote, ye freehold dying with his wife.
"	Ralph Hodgson	"	pro.
"	John Kepling	"	pro.
"	Tho. Farrow	"	pro. p. Mr. Steel.
"	John Hood	Newcastle	apprentice to Mr. Simpson Fitter
"	Peter Boddy	Gainford	pro. Single.
"	Peter Boddy jun.	"	pro. do.
Sellaby, near do.	— Freeman, esq.	London	
Gainford	Tho. Coulson	Gainford	pro.
"	Wm. Middleton	"	pro. single
"	Peter Firbank	"	pro. single
"	John Simpson	"	pro.
"	Cuth. Brown	"	pro. half, Mr. John Eden's tent.
"	James Williamson	"	pro.
"	Wm. Steedman	"	will not pro. till he sees myself.
"	— Cradoek, Esq.	Hartford, Yorks.	pro. self at Darlington races, 1739.
Q "	W. Hodgson	Gainford	pro. if his house is votable.
"	John Cooper	"	pro. to T. Colpitts sometime since, and hopes, single.
"	Wm. Garth	"	pro. ditto, single
Q "	Mr. Edw. Rayne	"	in unhappy circumstances.
"	Lanct. Spencer	"	his son servant to Dr. Eden at Durham
"	Mr. Tho. Colpitts	Streatlam	pro. Steward to G. Bowes.

† The bishop's writ, grounded on the king's writ, to detain Anthony Brakenbury, his bai-

1634, together with the Castle and Honor of Barnard and many lands, of certain citizens of London, to whom they were mortgaged by the Crown, by Sir Henry Vane the elder, in the possession of whose descendant and representative, Henry, Duke of Cleveland, they now remain.

The appearance of Gainford is more that of a minor watering-place, than of a retired village; and, at a little distance, especially on the Yorkshire side of the river, somewhat pleasing and picturesque. Its area is circumscribed within the parallel boundaries of the river on the south and the Darlington and Barnardcastle road on the other side—the western part being chiefly occupied by a level and pleasant green, around which the larger houses are arranged. At its north-west angle also, is a row stretching towards the Hall, with gardens on a sunny slope in front, and a pretty prospect. In more social days, ere utilitarianism and sectarian austerity had chased out of the land the last lingering relics of old English merriment and recreation, young people of the village and neighbourhood danced on this green, on their holidays and festive seasons—a circumstance which caught the attention of Sir Walter Scott.

“ He views sweet Winston’s woodland scene,
And shares the dance on Gainford-green.”†

There is here none of that utter poverty and squalid wretchedness which too often meet the eye in the villages of the North; and on the whole, few places afford a more comfortable and suitable retreat, either for those who wish for retirement or who are not inclined to spend their time, or hazard their competency, in the risk of commercial pursuits.

Cradock’s Hall was built, probably, on the site of the Manor place, by the Vicar Cradock, about the time of James I.; but has little of the picturesque appearance of similar houses of this date. It was, however, left unfinished, and has incurred, in consequence, the fate predicted by Hesiod to such erections.

Μηδέ δόμον ποίῳν ἀνεπίξεστον καταλείπειν,
Μή τοι ἔφερομενη κρώζῃ λακέρυζα κορώνη.‡

At each end it has the appearance of three tall single gabled

liff of Gainford, Piersbridge, Headlam and Langton, within that lordship, and to collect from Gainford.—*Bishop Tunstall’s Notes*; *Rudd’s MSS.*

Arthurus Brackenburgh Ballivus R’s Hen. VIII. de Gainford, ac collector de Gainf. Piersbrig, Hedelam, et Langton, infra d’nium de Gainford. Georgius Warcop, Ball. Ibid 38 Hen. VIII.—*Mickleton’s MSS.* HUTCHINSON’S HIST. DUR., iii. 262.

3 March, 6 Eliz.

Regina concessit Rad’o Bower offic’ balivi d’nij de Gayneforde et collector’ redditum maior’ de Hedlam, Percebridge, Gayneford et langton cum p’tin infra epatum Dunelm ad vitam feud. ijd p. diem.—*Bowes MSS.*

† Rokeby, Canto iii., st. 15. ‡ Opera et Dies, B 364-5.

houses, placed by the side of each other. The south front is very plain, except that there is a rich doorway, inscribed I. C., M. C., and B. C. The north side is more in character, and has above its entrance a small tablet bearing the arms of Cradock: (argent), on a chevron (azure), three garbs (or). With the name and date:

JOHN : CRADOCK.

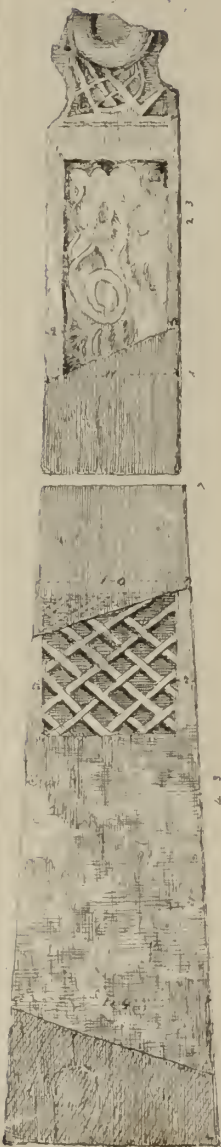
1600.

The interior has never been fitted up in the style of the times. The staircase is partially erected. A lower room is wainscotted, and has a cornice of fruit and flowers: an upper one, with two fire-places, still unplastered, and open to the roof, runs the whole length of the south front. A high stone wall, two feet thick, and here and there matted and canopied with ivy of almost coeval antiquity, surrounds the house and paddocks: of these enclosures, that on the east side seems intended, by the remains of a terrace running along the north wall, for the plesaunce; and near the entrance from the house, is one of those circular turretted Dove-cotes, common in the north, which has the addition of a deep well in the centre. Altogether, with its black, moss-grown, weather-stained walls; irregular roof, half tiles, half slates; and windows, some wholly, most partially blocked up, the place has a singular air of desolation, and reminds us forcibly of the moated grange of Tennyson's poetry.

Mr. Surtees deduces the genealogy of the Cradocks, which has also been exhibited in the popular publication of Burke,* from John Cradock of New-houses in Baldersdale who made his will at Gainford, June 14th, 1604, and was buried there the next day, leaving issue three sons, of whom the Vicar was the youngest. According to the pedigree in the Durham collections of the Herald Vincent, this John was grandson of John "who went into Yorkshire and lived at Doe Park," grandson of Richard Cradock, living 16th Hen. VII., 1500. A pleasantly devised genealogical fable claims for him, also, a descent from the brave Caradoc—the Caractacus of the Romans, who was defeated at a mountain near Shrewsbury, named Caer Caradoc, and whom it states to have been the *Homo Præpositus* of the respectable families of Cradock, settled in Leicestershire, Staffordshire, near Richmond in Yorkshire, and even in Brittany; where at a village near Rennes, bearing the name of Caradoc, the late Mr. Cradock of Gumley, some years ago, observed the common crest of the family.† But whether descended from the southern family or not, persons of the name occur as witnesses in charters of property in this neighbourhood. at a period long before their supposed appearance in

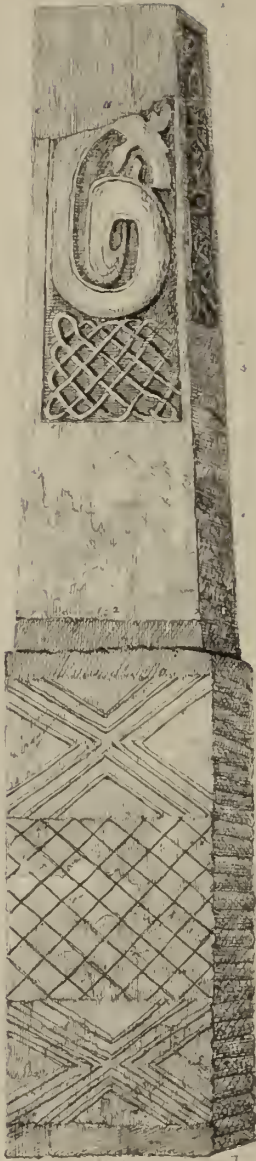
* Commoners, vol. iv., p. 257. † Gent's Mag., vol. xcvi, p. 17.

N° 3



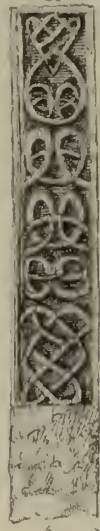
N° 2

N° 1



N° 2

East Side of N° 1



N° 6



Yorkshire. Ralph Cradock occurs, along with Sir John Laton, rector of Romalldkirk, (in which parish Doe-Park and New-Houses are situated) and is placed next after him in a conveyance* of lands in Stainton, near Barnardcastle, dated at Lirlington, 3rd Henry V., 1415; and Miles Cradock appears in a charter of lands in Hullerbush, near Barnardcastle, from Ralph Lord Greystock, William Lord Fitzhugh, and others. to William Bowes, Esq., 7th Henry VI., 1428.*

THE CHURCH.

THE Church stands on the south-west angle of the green, and on a slight elevation a few yards from the river; which, in the course of time has washed away a considerable portion of the church-yard, and would, ere now, have undermined the foundations of the church, had it not been for a parochial contribution of several hundred pounds, aided by the laudable endeavours of Mr. James Cranke, brother to a late Vicar, who spent much of his time in diverting the course of the encroaching current, piling the bank, and planting the side of the little knoll.

The Church which Egedred built in the early part of the ninth century undoubtedly occupied the site of the present building. No vestige of it now remains, although I observed several portions of crosses of coeval antiquity, which had been walled into the upper part of the tower sometime in the sixteenth century; and of which the annexed sketch, made with as much fidelity as the position of the stones would allow, will furnish a better idea than the pen. The shaded part in each indicates what is embedded in the wall.

The portions numbered 1 and 2 are the lintels of the entrance to the clock-room, and have formed one complete cross. The stone next the staircase is a very coarse grit, and of very rude workmanship. The other is of better work and closer grain, though the upper portion appears, from what can be observed of its side, not to have had a cruciform termination. On its face is a fretted scroll; and, above that, the representation of an eel, or coiled serpent—the memorial, probably, of some once famous but now forgotten occurrence. If, however, the stone was removed, the opposite side might present some design or appearance, that would assist in forming an opinion on the subject.

Nos. 3 and 4 form the head of the south window of the same room; and have constituted another perfect cross, but of smaller

* Streatlam MSS.

dimensions than the former. They are, too, of that close yellow grit, of which most of these crosses have been made. The radii or arms of the upper portion are hid in the wall; and the rude sculpture with which it is adorned so much defaced by the action of the atmosphere, as to defy all my attempts to trace its design. Its spiral lines would seem to indicate a connection with the design of the coiled serpent. The sides have deeply cut scrolls, but are hid by the adjoining stones.

The small stone, fig. 6, forms part of the head of the doorway at the foot of the tower staircase, and is cut in very high relief, in a hard close-grained stone resembling granite; but may be considered the semblance rather than reality of a cross. All the members of a real Saxon cross are represented—base, shaft, and head; and it has been constructed in this unusual form, either for the convenience of being placed horizontally on the church floor, over the remains of some person of extraordinary merit or exalted piety, who had obtained sepulture within the walls, at a period when upright stones fixed in the church-yard were the usual memorials; or shortly after, when this custom having ceased, a representation of a cross was carved on the lid of the coffin, which at first would be a perfect resemblance and in high relief, as in this instance; but afterwards became little more than an outline, and elaborated and ornamented so as to retain small traces of its original design and character.

Upright stone pillars, having a cruceiform termination, sculptured faces and sides, ornamented with interlaced scrolls in labyrinthine and luxurious variety, were erected in this country chiefly by the Saxons; and, are generally found in the church-yards of parishes formed during their era, where they served as sepulchral memorials, and for other purposes not distinctly ascertained. There are fewer, however, of these venerable and interesting remains in Durham than in any of the adjoining counties. In fact, I believe there are none generally known within it, except two at Aycliffe, not long ago discovered; though several portions yet remain embedded in the walls of churches, that have been rebuilt or repaired, especially in the fifteenth century.

St. Cuthbert, when dying, desired his brethren to bury him beside the cross he had erected near the oratory,* and his friend Ethelwold,† who succeeded to the bishoprick of Lindisfarne in 724, caused a large stone cross, which he inscribed with his name, to be erected near that church. Those at Aycliffe are supposed to record two synods of the church which were held there in 782 and 789.‡ Three, now in the church-yard of Whalley in Lancashire,§ and one formerly

* Sim. Dun. Hist. Dun., X. Scrip., 7. † Ibid, 51.

‡ Surtees, vol. iii., 326.

§ Dr. Whitaker's Whalley, p. 50, pl. 4.

in that of Dewsbury,* in Yorkshire, are traditionally said to record the Preaching of Paulinus. Leland,† “notid much at the este ende of our Ladys Chapelle garthe,” at Ripon, on the site of the old monastery founded there by archbishop Wilfrid about 705, “Three Crossis standing in row,” which he styled “thinges *antiquissimi operis*, and monumentes of sum notable men buried ther”; and there are scattered about in the north, especially in Yorkshire, many more whose origin and date cannot be so nearly discovered.

With respect to those at Gainford: if the figure of the serpent on one, and something similar on the other stone, have no reference to the deceased’s worship of the God Woden, we could almost be induced to believe that they were “monuments of some notable man buried ther,” who had performed the feat of slaying a serpent or monster, that might issue occasionally, like the famous Sockburn and Lambton “worms,” from the adjoining river, to the terror and alarm of the surrounding country;—for it is not altogether unreasonable to suppose, that in these and other similar cases, some creatures *did* really exist; though their powers and appearance, like many by-gone circumstances, of the authenticity of which we are perfectly assured, were magnified and mis-represented in their transmission through centuries, by the ignorance of the narrators; and we may be assured that a man who had rendered such a service to his neighbours, would, in accordance with the practice of antiquity—induced, indeed, by feelings natural to men in all ages and nations—have some memorial thereof inscribed on his tomb.

During the three centuries that elapsed after the foundation of the church, the same obscurity hangs over its history as perplexes us in reviewing that of the manor, to which it was attached, and whose fortunes it most probably shared. In the many violent changes and convulsions which occurred during this period, it doubtless had its share of trouble and distress; though we know not how much its fabric might be spoiled, or its revenues alienated. The want of the Domesday survey for this county prevents us also from ascertaining its condition during the time of the Conqueror.

At a period between 1112 and 1131, though perhaps nearer the latter year, Guy Baliol, the Norman grantee of the manor of Gainford—a person of whom we know little or nothing, but what we may hope were deeds of well meant piety and beneficence—gave, in his old age, to the convent of St. Mary at York, the church of Stokesley in Cleveland, a carucate of land, and the demesne of that manor; the church of Gainford, two oxgangs of land, and the tenth of the

* Loidis and Elmete, p. 299.

† Itin., vol. i., p. 92.

demesne of his manor there; and the church of Stainton, with two oxgangs of land, and the tithe of his demesne of that place. This benefaction, which is attested by three priests and two laymen, one of whom was his steward, he explicitly states in his charter, was made for the benefit of the soul of his lord king Henry, Henry's father king William, his mother queen Matilda, his brother king William, and his son William; as also for that of his own soul, that of Dionisia his wife, Bernard Baliol his nephew, and of all faithful people deceased.* At the close of the instrument he reiterates, perhaps, the only sincere portion of his intention, and states that the donation was for the good of the souls of his father and mother, and of all his progenitors. It might be imagined that Guy's choice would have fallen on the thrice holy and all-absorbing church of Cuthbert, at Durham; but he seems to have been influenced by the example of his neighbour and brother soldier, Alan Earl of Brittany, and of his benefactor and friends the Conqueror and his sons, who had extended their patronage and protection largely to the monastery at York.

But Guy's bequest did not sever the substantial connexion between the Baliols and the church of Gainford. In 1131,† or the year following, Godfrid abbot of St. Mary's, and his Convent, granted it with the chapel of Barnardcastle, and all other its appurtenances, to Bernard, son of Hugh Baliol, for his life; who solemnly engaged himself to pay them, annually, three marks of silver—one half at the feast of St. Peter and St. Paul, the other at the feast of St. Martin, and to satisfy the episcopal demands. Not long after, and before 1161, the convent further favoured the family by relinquishing to Bernard Baliol, and his next heir, the right of presentation to the church; but reserved the right of presenting the clerk to the bishop of Durham.‡ The abbot also reserved to his monastery the annual payment of forty shillings, from the person in possession of the church, during the existence of this arrangement.

This Bernard confirmed, to the monastery, the grant of Gainford church, and the chapel of Barnardcastle, made by his uncle Guy.§ Neither party perhaps remembered, or cared to remember, for the health of how many or whose souls the benefaction was originally made; but Bernard, or the writer of his charter, states it, contrary to the fact, to have been, in addition to that of Guy, for that of Bernard himself, his parents, and children. This might be an error or forgetfulness of the scribe, or such the terms of some second

* Appen. No. I., p. i.

† Appen. No. x., p. v.

‡ Appen. No. xiv., p. vii.

§ Appen. No. iv., p. iii.

charter of Guy that has not reached us; but it affords undoubted evidence that Bernard's father was not Guy, as hitherto has been believed: but in the charter, indeed, Bernard expressly calls him his uncle.

Many of the great Norman barons like Baliol, who had obtained large possessions by their craft or their sword, parted with a portion of them too easily through misguided piety, credulity, or superstition. Structures and foundations for God's worship were doubtless required, after the long and direful ravages that had swept athwart the land; and of these they could not provide too many, or endow too bountifully; but one of these potent chiefs—if his feelings were not sufficiently enthusiastic to induce him to become the founder of a monastery—at least thought it necessary to alienate the advowson of his churches, to some established foundation. This was then proper enough, for the monks were, probably, much better able to judge of the qualities and merits of an incumbent than he; but these men betrayed their trust, and so forged a many-linked chain, which hangs heavily round the neck of the English church to this day.

An anxiety for appropriating the churches, of which the advowsons were already obtained, is one of the dark spots in the monastic system. In early times this practice was not very frequently or systematically carried out; and we would hope that when the monks, between 1154 and 1158, sought and obtained from Hugh Pudsey, Bishop of Durham, licence* to appropriate this church and the chapel of Barnardcastle to their monastery, it was as one method of providing means to assist in the restoration of that once noble, but alas, now bare and ruined pile, on which, it is supposed, they were then engaged.

Bishop Pudsey likewise extended his special protection to the convent, their officers, and their possessions in his diocese, especially to the church of Gainford; commanding his ministers† and officials to protect their property, and the persons of their officers—more particularly those connected with the church of Gainford—as his own; and that, an injury done to them, should be considered as offered to himself. The monks likewise obtained from Becket,‡ archbishop of Canterbury, probably in his legantine capacity, a confirmation of Guy Baliol's grant, with an anathema against all who attempted to infringe it; on which his subsequent canonization would set a retrospective seal, and make this assurance, if ever worth anything, doubly sure.

The monks likewise had a confirmation of the church of Gainford

* Appen. No. vii., p. iv.

† Appen. No. viii., p. iv.

‡ Appen. No. xi., p. v.

alone, from Guy Baliol,* who styles himself son of Bernard. In the absence of a perfect pedigree of the family, and all data whence to judge accurately, I conjecture, and chiefly from the style of the instrument, he was son of Bernard Baliol the elder, and brother of Bernard the second, who succeeded to the inheritance.

Between the years 1186 and 1189,† Bernard Baliol, the younger, confirmed to the monks of St. Mary's, the churches of Gainford, Barnardcastle, and Middleton in Teesdale, with the appurtenances of each, two oxgangs of land, and a toft and a croft in the latter place. In his charter he states, that the churches of Barnardcastle and Middleton were chapels in the time of his father:—" *Sciendum est autem quod ecclesiæ prenominatæ scilicet de Castello Bernardi, et de Middleton fuerunt capellæ, in tempore patris mei*"—an expression which, with reference to Middleton, may be understood to mean that it was then severed from the parish of Gainford, and was erected into an independent parish; but cannot be considered to apply in a similar manner to Barnardcastle, which, although styled "*matrix ecclesia de Castro Bernardi*" in a charter‡ about ten years afterwards, still continues to be—as it always seems really to have been—a chapel dependant on the church of Gainford. The term *capella* was, however, subsequently applied both to Barnardcastle and Middleton.

Philip of Poitou, bishop of Durham from 1195 to 1208,§ granted to the monastery, free permission to present a proper person to the church of Gainford; and about the same period Eustace Baliol,|| and his son Hugh, by two separate instruments—which from the fact of their being expressed in the same terms, and attested by the same witnesses, were no doubt made at the same time—confirmed to them the advowson of the church of Gainford, with the chapels of Barnardcastle and Middleton, with all their appurtenances, two acres of land, and a toft and a croft in the latter place. They also confirmed to them the churches of Stokesley and Stainton, with the lands and tithes appurtenant to each, as is mentioned in the charter of Guy, the first. These documents—which are attested by Hubert archbishop of Canterbury, who appears to have been a friend of the family; Geoffry Fitzpiers, earl of Essex, and Chief Justice of England; Roger Lacy, Constable of Chester; and other persons of distinction—are the last confirmations the convent had from the

* Appen. No. vi., p. iii.

† Appen. No. iv., p. iii.

‡ Appen. No. xl., p. xx.

§ Appen. No. ix., p. iv.

|| Appen. Nos. II. and III. Dr Hunter had seen the original of Eustace's charter. He says the seal has a man on horseback, with his sword in his right hand, and on his left arm hangs an escutcheon charged with three cross-hafted short swords, bendwise to the sinister.—*SIGILLUM EUSTACHII DE BALIOLL.*—*Hunter's MSS.* vol. ii., p. 153, in *Bibl. Cath. Dur.*

Baliols; and probably the increased certainty and protection of the law rendered such assurances less necessary.

From the time of bishop Pudsey's appropriation, to the middle of the thirteenth century, the relative position of the convent and the incumbent of the church is not distinctly ascertained. Besides the rector, each one of whom probably received the benefice on different terms, there appears to have been more than one vicar, who, though not mere stipendiaries, did not enjoy the advantages and security of an endowed and perpetual vicarage. In an instrument, which must date before 1239, Gilbert de Lacy* acknowledges himself to have received the *churches* of Gainford, *Barnardcastle*, and *Middleton*, with their appurtenances, from the monks of St. Mary's; and, to have been instituted to them, on their presentation, on condition that he should pay them, annually, by equal portions, at the Feast of St. Martin and at Pentecost, one hundred shillings—whereof, sixty shillings were demanded for two garbs of the whole parish of Gainford, as well as of Barnardcastle and Middleton, and forty shillings for the third garb, and all obventions of the altars; besides which, he was required to sustain all burthens, and satisfy the episcopal demands. This agreement must have been considerably in favour of the rector. Indeed the benefice had been of considerable value and importance at this period; for, not long after, and not improbably after the death or cession of Lacy, it was worthy the notice and acceptance of G. St. Adrian, a Cardinal deacon; to whom succeeded another dignified personage, Opicion St. Vitalis, the Pope's nephew and chaplain, and canon of Parma. During his incumbency, either the constitution of the church had become productive of inconvenience, aggravated perhaps by the non-residence of the incumbent; or, the monks had found themselves involved in a position from whence they could not extricate themselves by ordinary means; for they petitioned Pope Innocent IV for another appropriation, which he granted them, by bull,† dated at Lyons, August 30th, 1246, but contingent on the death or cession of his nephew, whom he enjoined them not to disturb. Still, no relief was provided for the vicars who needed it most; for the pontiff, instead of assigning them a competent and permanent portion, left them to receive whatever the conscience of the monks considered a sufficiency, though he charged them with the episcopal and other dues. Notwithstanding this arrangement, Farnham, bishop of Durham, interfered at the request of the rector and his friends, and, on the 2nd of December, 1249, summoned the convent to appear and arrange touching the vicarage; but his resignation a few months afterwards probably prevented

* Appen. No. XVI., p. viii.

† Appen. No. XXIII., p. xiii.

further remedy being obtained from that source. Six years, however, afterwards, the Pope instituted a perpetual vicarage, and directed the bishop of Durham by bull,* dated at Perusia, in March 1252, to annex the presentation thereof to the convent of St. Mary's, assigning the vicar forty marks annually for his sustentation, and the payment of the episcopal ducs and other burthens. A memorial, drawn up by the Official of the bishop of Durham on the ordination of the vicarage in 1261, states that the Pope, on his appropriation of the church, indulged the convent by allowing them to serve it by their own monks, for the space of ten years; after which period, a perpetual vicar should be ordained. But, before the period had expired, the monks, having the peril of souls before their eyes, appointed William Roundel, vicar; who, having been inducted by the bishop of Durham, Walter Kirkham, and having obtained possession of the papal bull, by virtue of which the taxation of forty marks was made, induced that prelate to augment the sum to eighty marks—a sum which the monks, who knew his duties and necessities and the usual allowance of that day, considered exorbitant; and, of the value of which we may form some idea from the circumstance of the bishop Farnham, before mentioned, being allowed the annuity of a thousand marks, on retiring from his see. This new taxation which the bishop claimed a right again to change, of course caused a strife between the convent and the vicar, which continued until the death of the bishop, and the first year of his successor Robert Stitchell; who, wishing to become a mediator, and to reform what had become amiss, caused the monks and the vicar to be cited before his Official, Roger Hertburn, in the church of Gainford, on the Wednesday after the first Sunday after Easter, 1261, (April 27) in order to effect a concord and arrangement concerning the final taxation and moderation of the vicarage. On the day appointed the parties appeared: the vicar personally—the monks by their lawfully constituted proctor Eudo, a monk, and no doubt one of the shrewdest in the fraternity. But, after the matter had been argued awhile, the negociations were postponed, under the expectation of a more friendly understanding, until Thursday after the feast of St. Dunstan, when they again appeared; and, through the mediation of the official, Roger Laicester, clerk, and other common friends, agreed to certain articles—to ratify and consummate which, in a solemn and legal manner, they were peremptorily cited to appear in the Gallilee of Durham cathedral on the morrow of the Holy Trinity, which fell on the 20th of June. On the day appointed, the vicar and Eudo once more presented themselves; when the former, being enjoined under pain of

* Appen. No. xxiii., p. xiii.

excommunication, to deliver up the Papal bull of taxation and other documents, touching the matter in dispute. It was ordained and published, that the vicar, for himself and his successors, should release, for ever to the convent, all the tithes of Summerhouse; a toft and croft, with all the arable and meadow land, which he held in Whorlton; all the tithes of hay within the three townships of Whorlton, Sledwish, and Westwick; and a house in Barnardcastle: who thereupon should grant to him and his successors, all and singular the remaining small tithes, oblations, and obventions; with his houses in Gainford, and his land in Stainton;—with the provision, nevertheless, that he and succeeding vicars should sustain all episcopal and archidiaconal dues; together with all charges of proper chaplains and clerks, books, vestments, reparations of chancels, and other adornments—as well pertaining to the mother church as its several chapels. Of this final, and apparently, equitable settlement a record*—which received the confirmation of the Official, by virtue of his commission† from the bishop, dated at Ricale on the 15th of June, and that of the convent of Durham—was made in cirograph, bearing the seals of the parties, and a memorial of the circumstances which led to it;‡ both which instruments are attested by Robert de St. Agatha archdeacon of Durham, Patrick his Official, Roger de Seyton Master of the Leper's Hospital of Sherburne, and afterwards one of the bishop's Justices of the Court of Common Pleas, W. Master of the Schools at Durham, Richard Vicar of Middleham, and others.

Our ignorance of the nature and extent of agriculture in the parish, and the number of its inhabitants, forbids us from arriving at any definite idea of the positive or relative value of these portions. In the taxation of ecclesiastical benefices which was made in 1253, after Pope Innocent IV. had granted to king Henry III. their first fruits and tenths, for three years, "*Ecclesia de Gaynford cum capellis, quæ est Abbatis Ebor,*" is valued at "*clxx marc*;" of which the tenths were seventeen marks. But, about thirty-one years after this ordination, when the taxation of Pope Nicholas was made,§ the rectory was valued at £100, and the vicarge at £10. In 1318, these sums are stated, in the "*Nova Taxatio,*" to be depreciated, respectively, to £66. and £1.; in consequence, no doubt, of the devastations consequent on that Scottish invasion, which were the cause of the new survey; but the sums are unaccountably disproportionate.

* Appen. No. xviii, p. ix.

† Appen. No. xviii, p. ix; and No. xxi, p. xii.

‡ Appen. No. xix, p. xi.

§ *Taxatio Ecclesiastica*, P. Nicholai, p. 315.

About the time of the ordination, also, the fabric of the church was re-edified from the foundations, by the convent of St. Mary; for to none else, in the absence of all evidence, can we assign that munificent work: the old edifice—either having been dilapidated by time or neglect, or more probably from its erection at a period when accommodation for a few tenants of the manor only was required—becoming of inadequate dimensions to receive the increasing population. This new structure—a plain, substantial edifice, every way suited to the place—forms the shell of the present church; but, it has been grievously mutilated by the tasteless additions and repairs of modern times.

Henceforward, we have no opportunity of ascertaining what the revenue or state of the church was, until the time of Henry the eighth's survey in 1535.* At that time William Fulthorpe was vicar of the parish, and returned his income as derived from the tithes of grain, hay, wool, lambs, swine, fowls, hens, oblations, and other dues, (*ceteris decim'*) worth annually £39. 13s. 4d.; together with the site of the vicarage, and a garden and close of the value of 6s. 8d.—in all £40. From this he had to pay for the *denarii de caritate*, or Pentecost dues, to the bishop, and to the archdeacon of Durham for synodals and procurations, annually, four shillings. There remained, therefore, £39 16s., of which the tenths payable to the Pope were £3. 19s. 7½d.

Mr. Tanner† supposes, in estimating the increase of the value of property mentioned in this survey, ten is to be used as the multiple. Later authorities‡ have assigned twenty; and an examination of the record shews it, in many instances, to be nearer the latter number, but to vary according to locality and circumstance. Perhaps this benefice was worth about £600. of our money.

There was also, at this time, a chantry in the church dedicated to St. Mary.§ John Betson was the cantarist, and he returned his revenue as arising from the site of his house and garden, four cottages, and certain ploughing and meadow lands in Gainford, worth £3. annually; issues from the chantry of the blessed Virgin, in the castle chapel of Barnard, 10s.; from a tenement and lands in Cleatlam, 6s. 8d.; from a tenement in Bolam 3s. 4d.; from a certain parcel of land called Assilbreke 12s.; from the king's receiver, a payment of 6s. 8d.—in all £4. 18s. 8d.: from whence nothing was

* *Valor Ecclesiasticus*, vol. v., p. 318.

† Preface to the *Notitia Monastica*.

‡ *Quarterly Review*, January 1815, No. xxiv, p. 517.

§ Thomas Collene was Collector of certain rents and returns in "Gaineford, Concliffe, Branspath, and o'r places, 5 Edw. VI," as appears by an extract from his *Computus*, relating to the chantry of Jesus in Brancepath church, transcribed by Randall, (C. 35) from a parchment in ye Auditor's Office "lying in y^e box marked with y^e letter G., an account of some Chantry Lands and expenses of Obits."

to be deducted, but 9s. 10d. for the tenths.* In 1501, Joseph Cocker was incumbent of this chantry, which was then valued at £2. 19s. 4d. Betson long survived the rude expulsion from his pleasant house and garden, and the loss of his rents and lands; and, in 1553, was in the enjoyment of a pension of £4. per annum.†

After the dissolution of St. Mary's abbey, (Nov. 26, 1539) among the greater monasteries, the rectorial tithes, valued in the survey‡ four years before, at £65. 0s. 4d., and the patronage of the vicarage, fortunately escaped falling into lay hands, and were given to Trinity College, Cambridge§—an appropriation which has secured, at least, a succession of learned, and generally efficient incumbents.

Besides these establishments, it is doubtful how many more existed in the parish, at the reformation; though it is painful to observe, that out of an abundant number, only three survived that tremendous shock, and remain to this day, though imperfectly and inadequately endowed—namely, the chapels of Denton, Barnardcastle, and Whorlton. Several foundations had arisen at early periods, but, since there is no trace of them in the "*Valor*" of Henry VIII., or at any subsequent period, it may be presumed that they were dissolved or consolidated before that time. The first portion of the Norman

* *Valor Ecclesiasticus*, vol. v., p. 321.

† Brown Willis's *Mitred Abbeyes*, vol. ii, p. 74.

‡ *Valor Eccles.*, vol. v., p. 5.

§ The rectorial tithes are held by John Bowes, esq., of Streatlam, as they have been by that family, under successive leases from the College, since 1558-9. On January 25th, in that year, John Redman, D.D., Master, and the Fellows of Trinity College, leased to Sir Robert Bowes, Lord Warden of the Middle Marches; Richard Bowes, esq.; and George Bowes, esq., "all that the Rectory of Gainforth for fower score and fifteen yeares." By an Indenture, dated 26 February, 11th Elizabeth, Thomas Bowes, of Gray's Inn, esq.—a younger son of Sir George Bowes—demised the Rectory to Robert Hardie, of Gray's Inn, gent., for twenty years, under the annual rent of £10; and it seems a short time previous to the term when their original lease expired. Mrs. Bowes, who was widow of Thomas Bowes, esq., of Streatlam, from 1636 to 1653, had offered the remainder of the term to the first Sir Harry Vane, of Raby Castle, as appears by the following curious epistle, still remaining among the family papers at Streatlam.

"Mrs. Bowes.

Whereas you heretofore made me an offer of your Interest in the Tiethes he-
longing to the Rectory of Gainford wth your demande & rate you wolde take for the same,
whereof you sent me a p'ticuler in wrightinge w^t I have p'used and doe thereby find the tieths
not answerable to your demaunds in vallue, neyther do I thinke the tearme is soe longe in
heeing. And though some p'fitt may hee there made till the renewinge of the Lease, yett
the some you demaunde for the same is to muche Consideringe the daylie fallinge of the tieths
(as you well knowe hy Pearcehrigge & other places). Then Consideringe the fallinge in vallue
of the saide tieths, and the time draweing on fast for the Renewinge of the Lease hy fine will
aswelhe a farr greater Chardge to the tenn't in yeerlie rent hy reason of the Statute, as allsoe
monie out of purse for the fine, uppon the renewinge of the Lease hy the teon'te, and for w^t
Chardge no c'taine profit to speake of Can he expected, yett I thanke you for your respect
unto me therein, and yf you will regulate your demands hy a reasonable rate I will for my
Conveniency give as much for the said tieths as anie discrete man bona fide shall really
thinke them worth, I do not blame you to p'longe the renewange of your Lease, hy reason of
the Increase of rent both Corne & monie you will finde there-uppon, And soe I rest

White hall

Y^r louinge friend,

20^o ffechr.

H. Vane."

Subscribed.—"To my loveinge frinde

Mrs. Bowes att Stretlam."

parish that required the endowment of a chapel, and the benefits of a resident minister, was the wild and mountainous region of Stainton;—a foundation which seems to have continued until the Reformation, but endowed with rights of which we can form no very clear conception. The still more remote situation of Middleton called for the next foundation; but the extensive district which it served, was, at the distance of a century or more, severed and formed into an independent parish. Before 1132, Barnardcastle chapel arose, consequent on the erection of Baliol's fortress; though the humble and adjacent foundation of Bedekirk, might have served the scanty inhabitants of the sylvan "Marawuda" from far earlier days. Whorlton possesses no further record of the occasion, or period of its foundation, than a portion of its structure, which, as far as antiquity is concerned, will allow us to conjecture it to be the work of that mesne Lord, to whom the manor was granted soon after its acquisition by the first Baliol. Then nearer the mother church, the chapels of Denton and Summerhouse were added by private bounty, before the end of the twelfth century; but when the latter was desecrated, is not clearly ascertained.

The high and well authenticated antiquity of Piercebridge, will afford reasonable ground for supposition, that, after the desertion of that pleasant spot by the Romans, and even before the existence of its mother church, some religious edifice was provided for what might be no inconsiderable number of Saxon settlers; but the first record of such an establishment, occurs in 1315-6, when, on the inquisition of the property* of Guy Beauchamp, Earl of Warwick, it is stated that he was seised of the advowson of the chapel of "Percebrigg;" or as it is called in the inquisition, on the forfeiture of Thomas, Earl of Warwick, 1397-8, the advowson of the *church*;† or as it is again styled in another inquisition, the *free chapel* of "Percebrigg."‡ This was, unquestionably, the "prati chapel of our lady *hard by* Persebridge, of the foundation of John Baliol King of Scottes,"§ which Leland saw shortly before the dissolution. But in the "*Valor Ecclesiasticus*,"|| a *chantry* alone is mentioned here, yet endowed chiefly with rents paid by the king, out of the ancient Baliol and Beauchamp Lands. There was also another chapel at Piercebridge, dedicated to St. Helen, which might be of superior antiquity, but its origin and history are altogether unknown; and, Mr. Hutchinson¶ supposes there was even a third—from the existence of the collation of John Teysdale, by the prior of Durham, to a

* Calend. Inq. p. m., &c. vol. i., p. 276. † Ibid., vol. iii. p. 266. ‡ Ibid., vol. iii. p. 226.

§ Itin. vol. i. p. 74.

|| Vol. v., p. 321.

¶ Hist. Dur., vol. iii., p. 261, e Cott. MS., Faustina A. VI, fol. 106.

chantry of the chapel of St. John, "apud pontem Teyse," April 5th, 1402; but this clearly refers to a chapel upon the bridge below Dinsdale, of which the Prior of Durham was the patron.

Of the chapel of Headlam nothing is known, either with respect to its founder or the nature of its endowment. A ruin and a tradition countenance its existence.

Besides these, we have incidental mention of a chapel* at Streatham, sometime between 1198 and 1214. There was a chapel,† dedicated to St. Mary Magdelene, at Baremore, served by a hermit, which was burned, together with his house, about 1434; an hospital near Gainford village, whose advowson belonged to the Beauchamps in 1315;‡ and another hospital, wherein was a priest, at Barnardcastle, said to be of the foundation of John Baliol, father of the first unfortunate king of Scotland, of that name. Archbishop Neville, during a vacancy of the See of Durham, also granted a licence for the foundation of an Austin Friary§ and Chapel at Barnardcastle, but it is not ascertained with certainty whether the design was carried into execution.

In addition to these were the chantries. Immediately before the dissolution the "*Valor Ecclesiasticus*," our only authority on this subject, mentions but one in the church of Gainford; one in the town chapel of Barnardcastle, though Hutchinson || names four others; two in the castle chapel there; one in the Bedekirk; one at Piercebridge; and the chantry of St. Mary Magdalene, in a chapel within the parish of Gainford, probably at Baremore before mentioned, which was in the incumbency of Thomas Hall, and of the annual value of forty shillings, arising from the site of his house and two adjacent closes.

The chantries were not dissolved until the first year of Edward VI. and then was dealt from hands that should have been far otherwise employed, the last and most deadly blow against the establishment and propagation of the protestant religion; and numerous districts, especially in the extensive parishes of the north, were left, through their distance from the parish church, as many of them still remain, wholly unprovided for in spiritual matters; but as Bale justly observed, "couvetousnesse was at that tyme so busy aboute pryvate commodite, that publyque wealthe was not any where regarded;" and the eye that was inflamed by avarice, heeded not, if with the tares was gathered up the wheat also. The positions of the unattached chantries were generally well chosen, and their endowments

* Appen. No. XL., p. xxi.

† Reg. Langley, 217.—Hunter's MSS., vol. iii., p. 50.

‡ Esc. Guid. de Beauchamp, 9 Edw. II., n. 71.

§ Tanner's Notitia Monastica, p. 116.

|| Hist. Dur., vol. iii., p. 301.

respectable; and had their structures been allowed to remain, and their revenues been made available for the diffusion and maintenance of the reformed doctrine—instead of having been diverted, under the most iniquitous pretences, to fawning parasites and secular purposes—too many persons, looking around in their respective parishes, may discover, how much infidelity and immorality from the absence of religious pastors; how much fanaticism and schism, from the presence of improper and unauthorized ones, would have been prevented or suppressed; how many new chapels, and how many new endowments, would now be required, at the hands of individuals and societies, whose energies are sufficiently engaged in providing for the increasing population of manufacturing towns, or newly, or better, cultivated agricultural districts.

Let us turn our attention to the instance before us. Ten years ago there was in this parish—having a population of 7,430 souls, scattered over 24,370 acres—as established places of public worship, the mother church capable of containing 380, out of the 524 immediately in the village; at Barnardcastle, a chapel accommodating but 900, from the 4,430 in that town alone; a chapel at Whorlton, which excluded 220 from a population of 310; and at Denton a chapel which received but 200 from 274; leaving, beside this excluded majority, of 5,860 souls, to the infirm and aged inhabitants of Cleatlam, Ingleton, Langton, Piercebridge, Stainton, Summerhouse, and Westwick—especially in winter or unfavourable weather—no means of attending an authorized and learned minister in their own proper parish. At Bolam a chapel has been lately erected, and at Denton the accommodation has been rendered sufficient; but the remaining places still, and we fear for some time may, remain but very insufficiently supplied.

Now, at the time of the dissolution of the chantries, those, recorded in the Valor, were possessed of land and houses of the annual value, at least, of £30. 8s. 6d., or, in our money, upwards of £500. There was one if not more chapels at Piercebridge, one at Marwood, one in the castle of Barnard, and another near Gainford village; and no doubt several more, though not mentioned in the Survey. Had these buildings with their revenues been appropriated to the reformed faith—the chantry in Gainford church, which would have now been worth nearly £100 per annum, having been transferred to Ingleton or Langton; and those in Barnardcastle chapel, which would, ere this, have annually produced £60., to some part of the wide district assigned to it—what a difference and an incalculable benefit would this arrangement, alone, have effected in the parish, without that adventitious aid, which in the course of time it would—and in some degree even from the mere fact of its existence—

have received from private benevolence and piety: and, it needs no further proof or argument to show what would have been the effect of a judicious application of the fund, which would have been produced from the revenue of all the chantries in the kingdom. Its benefits, indeed, might not have been immediately extended; for, in 1553, it appears that the annual pensions of forty-five existing incumbents of dissolved chantries in the county of Durham alone, amounted to near £170; but, if many of the superior dignitaries of the old church were thought worthy to be entrusted with the propagation of the reformed faith, surely, the services of some of these men might have been retained in the more humble, though equally responsible duties.

After the Reformation, it was, doubtless, long ere the true light dawned on this wild and secluded district. Fulthorpe, the vicar, continued to hold his benefice under the new state of things; and, on his death, Bennet, who had been a monk of Durham abbey, succeeded him, and held it until his death; when Sedgwick, the Divinity Professor at Cambridge, who disputed with Cranmer, was appointed, but deprived in 1559. From these men little that was desirable could be expected; and, with the additional interest which the inhabitants had in the Nevilles, we are not surprised to find that the old faith was so deeply rooted in their hearts, as to induce numbers of them to join that "Rising" in 1569, which was intended to have brought about its restoration.

There is no record of the state of religious feeling or excitement here, during the ascendancy of the Puritans,* except that a quaint note, in the parish register, states, in very dolorous terms, that "many of a sicklie condition as the time was then," refused to have their children "redgestered"; and we find one Mr. Mossock, of Headlam, who was the only person of any station that went astray, buried three of his children, and an adult person, in his own orchard. Yet, in the exercise of that frigid and repulsive feeling, which per-

* The following List of "*Subscriptions*, according to an act of Parliament, for a Voluntary present to his Majesty," after his restoration, October 10, 1661, will afford the best idea of the feelings of the inhabitants on their deliverance.

"GAINFORTH.			£. s. d.		
John Swainston, Yeo.	0	5	0	John Burrell, Yeo.	0 0 6
Cuthbert Burrell, Yeo.	0	1	0	Will. Thackerrie, Yeo.	0 0 6
John Hood, Yeo.	0	2	6	John Cowlin, Yeo.	0 0 6
Roh. Stoddart, Yeo.	0	5	0	Ric. Wawhancke, Yeo.	0 0 6
Will. Joyner, Yeo.	0	1	6	Roh. Burne Clarke of y ^e Parish....	0 5 0
John Rounthwaite, Yeo.	0	2	6	HEDLAM.	
Edward Rayne, Gent.	0	3	0	Hen. Draper, Esq.	2 6 8
Ric. Rayne, Gent.	0	3	0	John Garth, Gent.	0 10 0
Tho. Billinham, Esq.	0	3	0	Will. Garth, Gent.	0 10 0
Cuth. Rayne, Yeo.	0	1	0	Will. Garth, senr., Gent.	0 10 0
Robt. Swainston, Yeo.	0	1	0	HILTON.	
				Ab. Hilton, Attorney,	0 10 0

vades all their actions, and exists, in the equally injurious shape of apathy and neglect in their descendants and representatives, both in and out of the church at the present day, they very probably swept away the storied windows, and destroyed those other ornamental and interesting appendages of the church, which until then, would assuredly be suffered to remain.*

The structure of the church now remains to be noticed. It seems, as I have before observed, to have been erected about the middle of the thirteenth century, on its present ground-plan of a tower, nave with north and south aisles, and choir; and had remained in its original integrity, until the time of Henry VI., or later; when the greater part of the lateral and western walls of the nave aisles have been rebuilt, and the buttresses and most of the present windows therein, constructed. The materials of which it is built is the rough grit-stone of the country, walled irregularly, except in the choir, where the courses are more carefully dressed and regularly laid. The style has been the lancet throughout.

The tower is placed over the western extremity of the nave, and is open to it on three sides by as many pointed arches, supported by plain clustered columns. The eastern arch, most probably from graves having been made too near the foundation of its piers, has diverged considerably from its perpendicular; and occasioned the erection of two substantial arches, or flying buttresses, which rest on the exterior walls of the aisles. It is but low; finished with a plain parapet; supported by plain corbels; and, in 1786, encumbered by clumsy pinnacles, resembling miniature obelisks, having a square base, round shaft, and a ball on the top. To the middle of the west side is joined a remarkably heavy turret, almost resembling a small tower, enclosing the stairs leading from the church to the clock-room and bell-loft. The lights of this lower room are plain, square headed loop-holes; and those of the upper of larger dimensions, but similar form. The original windows have been removed in the sixteenth century, when the portions of Saxon crosses, previously mentioned, were inserted.

The nave is 60 feet 3 inches long, including the space under the tower, and thirty-nine feet wide, including its aisles. It is separated from them on each side, by three plain, pointed arches, whose varying intercolumniation is about eighteen feet. These rest on cylindrical pillars, with ring capitals, except that the western column

* As a striking instance of this feeling, I would record, that a body of dissenters—of what class, of course, I need not mention, for the impudence of the thing sufficiently indicates that—actually applied to the noble owner of one of the most celebrated and beautiful ruined castles in the north of England, and not many miles from the parish under consideration, to allow them to erect their conventicle—and I shudder when I think what a wretched incubus *that* would have been—within the area of its ivy-mantled and venerable walls.

on the north side has one of an octagonal form. The westernmost pillar on the south side has a plain dog-toothed moulding added to the capital; and those of the piers that abut on the choir wall, are ornamented with a rude sculpture of roses and leaves, placed alternately in low relief. This part had, originally, a clerestory, whose height is indicated by the line of the roof in the tower wall; but, from some cause—which, if it was not the paltry value of the lead with which it was covered, I cannot imagine another—the whole was swept away about thirty years ago; and the roof extended in one unbroken sweep of bright Westmoreland slate, from its apex to the outer walls of the aisles. Before this demolition, however, the width of the nave, which is but fifteen feet, must have been manifestly disproportionate to its elevation.

The nave is entered through doorways under plain, pointed arches, in the lateral wall of each of its aisles, and opposite each other. That on the south has the addition of a porch, which has seats, as usual, on the sides; and was used by the family of Garth as their burial place.*

The windows have been grievously mutilated, apparently in the sixteenth century; and, it cannot be distinguished, with any certainty, how many the original design has exhibited in the lateral walls. At a great height, on the south side, are some small pointed, or rather ogee-headed lights, which have been walled up long ago; except one west of the porch, and below which is a square-headed window of the sixteenth century, with a single mullion, and four perpendicular compartments of tracery. Between this window and the porch is a heavy buttress of three stages. A similar buttress, but of five stages, is placed about the middle of the space between the porch and the east end of the aisle, and has, apparently, been erected to counteract the pressure caused by the insertion of a large window on each side of it; whose age I cannot exactly ascertain, as they were repaired with new stone, throughout, a few years ago, with some deviation from their former appearance. By the east side of this buttress, and almost under the eaves, a square-headed window has been broken out, but is now filled in; and, between the large window and the porch, another of similar form still remains.

The north side has a still more irregular and unsightly appearance. East of the entrance—which is flanked at a little distance on each side by two ungainly buttresses, of three stages, the westernmost

* The last interment is thus recorded in the Parish Register :

"Nov. 29, 1792. Hannah Blacket, widow, 98, Gainford. Her maiden name was Garth. Buried in the South Church Porch. Fee for being buried there ten shillings, besides the customary burial fee of one shilling."

being the highest—are two modern windows, or rather openings in the wall, having an ancient light with a cinquefoil head between them. Above these are two small ogee-headed lights, similar to those blocked up in the south side. The space west of the door has a square-headed window, divided by a heavy mullion, but, without tracery.

The east end of each aisle had originally a small and graceful, but plain, lancet light, surmounted by one of that peculiar and elegant form called “vesica piscis,” which was held in great veneration in ancient times. It is a figure formed by two equal circles, cutting each other in their centres, and resembles the outline of a fish; under which form it is supposed to have reference to a symbolical representation of Christ, not only on account of ΙΧΘΥΣ, the Greek term for a fish, containing the initials of our Saviour’s name and titles in that language—Ιησοῦς Χριστὸς, Θεοῦ Υἱὸς, Σωτὴρ—but, “because the christian life took its original form from the waters of baptism, by which men were regenerate and born again into Christ’s religion by water, and could not be saved but by continuing therein.” Whence, also, the ancient christians called themselves *Pisciculi*, as appears especially from a passage in Tertullian—“*Nos Pisciculi, secundum ἰχθύν nostrum Jesum Christum, in aqua permanendo salvi sumus.*” * From a period long before the Norman conquest, to the dissolution, this mysterious form seems, more or less, to have directed and guided the architects in those glorious and sublime designs, of whose principles we, unfortunately, still understand so little; and, to have generally influenced the form of things that were intended for sacred uses. Yet little more has been done to develop its wonderful properties, than what was propounded and explained by the late Professor Kerrich, in two very valuable papers communicated to the Society of Antiquaries, and published, with numerous illustrations, in their *Archæologia*.

The erection of the vestry closed both the eastern lights of the north aisle; and the vesica in the south has been walled up, while the mystical allusion which it conveyed was recognized and understood.

During the repairs in the early part of the present century, the choir, whose external appearance will be best understood from the engraving, escaped with the removal of the ancient doorway, and the destruction of its roof. The former was surmounted by two small shields—one bearing a *saltire*; the other, close adjoining, the *cross of St. George*. The latter, of the true pitch, was covered with lead, and supported by ten corbels, each bearing the *saltire* also. From

* Kerrich in *Archæologia*, vol. xvi., p. 314.

the presence of the shields of "the Neville" it may be inferred that both these portions of the building had been renewed in the fifteenth century—a period when heraldic bearings were much used in architecture—and at the instance of Richard Neville, the stout Earl of Warwick; who, during a portion of that period, was lord of the manor of Gainford, in right of his wife. A buttress has also, at some time, been removed from between the lancet lights on the south side.

The interior of the choir is neither spacious nor enriched with the minute and beautiful ornaments of its style; but, it is all that is required, and strikes the eye and engages the attention, by the justness and beauty of its proportions, and the neatness of the design. It opens from the nave under a plain, pointed arch, supported by handsome brackets; and is 31ft. 3in. in length, and 16ft. 11in. in breadth. The eastern extremity is made into three tall lancet lights; the one in the centre being 4ft. 4in. wide in the inner line, and those on each side 2 inches less; with slender-banded shafts continued internally round the arch, and semi-sexagonal bases and capitals. In each of the lateral walls are two windows, 4ft. 8in. in the inner line; but those on the north have been closed by the erection of the vestry. The rood-loft is wholly swept away; but there are traces of the masonry on which its lower beam has rested at the entrance to the choir.

It is remarkable, that in so ancient and dignified a mother church as this, there should, apparently, have been neither permanent sedilia nor a piscina; for not the slightest trace of either remains. Between the altar rails and the choir door is a small recess, with a semi-pointed, or dimidiated arch, wherein a holy water vessel may have been placed; and, on the south side of the altar, an aumbrye, 2ft. 4in. square, and 18in. deep.

Though, from these observations, it will be evident that this, like the majority of parochial churches, has suffered much from the carelessness of its legal guardians, and the ignorance of tasteless times; yet, it is satisfactory at the same time to perceive, that with the exception of the removal of the clerestory, no injury has been effected, or anything destroyed, that could not be repaired or restored with ordinary judgment and small expense. Such has been happily effected in the neighbouring church of Heighington, and elsewhere; and why might not something be attempted here; though, in "this day of sorrow, of rebuke, and blasphemy," its utility, indeed, might be open to question and to opposition. The renewal of some of the pews, after the goodly fashion of the old ones that might remain; and the rebuilding of the western gallery, would alone be as great, as it is a necessary, improvement; and, if lights

of the original form could be substituted in the lateral walls of the nave, in the place of the modern apertures—and the ceilings of both nave and choir re-constructed in accordance with the style of the building—this venerable pile might resume the appearance it bore, when attention to the beauty and convenience of God's house was as common, as that of many to their own, exclusively, is now.

The altar table is of curious carved work; and was, perhaps, erected in consequence of that injunction of Queen Elizabeth, on her accession, commanding all altars to be removed, and plain, common tables to be placed in their stead.

The font, which is coeval with the present church, and stands in its proper place, is a round, plain basin, supported by a column 3ft. 9in. high, of the same form, on a moulded base.

The nave has been fitted up with pews in a very neat and elegant manner, about the time of Charles II.; when the Garths built themselves one like a cage, "high and easy," as Weever elsewhere observed, "to sit and sleep in," in the north aisle. Subsequent and successive careless repairs, and injudicious alterations, have however interfered with the ancient arrangement, and given the whole an unsightly and irregular appearance. There is a heavy gallery in the north aisle, and one of very rude and unbecoming workmanship under the tower.

There are three bells. Very fortunately two of them are of considerable antiquity, and their inscriptions curious and interesting.

On the first, in narrow Longobardic characters, each letter being placed on a pannel—

✱ SAYNT CUTHBERT SÆF US VNOWERT.*

On the second—

✱ ✱ HÆLP MÆRJ QWOD ROGER OF KYRKEBY.†

These sentences are among the earliest I have observed, inscribed in English, on bells. The age of these, at least of the second, may be nearly ascertained; for "Roger of Kyrkeby" is certainly the person of that name who was vicar of the church from 1401 to his death, in December, 1412. There is nothing peculiar in their form, and the mouldings are such as are still generally used. The diameter of the first, at the top, is 2ft. 4in.; circumference on the upper rim, 4ft. 1in.; of the lip, 7ft. 2½in.; height inside, 1ft. 11in. The second is 2ft. 6in. in diameter; internal height, 1ft. 11in.; circumference of the upper margin, 4ft. 4in.; of the lip, 7ft. 9in.

* Saint Cuthbert save us unhurt.

† Help Mary, said Roger of Kyrkeby.

The large bell was, perhaps, of the same age, until the last century. That now in existence is inscribed—

THO: SWAINSTON ^{CHVRCH} WARDEN. GLORIA IN ALTISSIMIS DEO. 1715.
S.S.* EBOR.

Many have considered the tone of these bells remarkably melodious; and, an individual † of taste and genius, who long resided within their sound, sung their praises in poetic strains, when, like all other departing joys, they might seem the sweetest and most delightful. As their sound comes swelling down the river vale—still calling, with all the magic eloquence of four hundred years, on the sainted Cuthbert and the blessed Mary—memory adds to their charm awakened recollections of the wild beliefs that have been reposed in their chime, and the varied scenes and diversified solemnities in which they have been employed; striking chords in the heart, which attune with their ancient melody, and calling us back, as with a living voice, to far-off days and long-vanished scenes.

The communion plate is not ancient, nor in anywise remarkable.

A large oak table, in the vestry, has been formed out of the old Commandment boards. It may be discerned from a portion on the underside, that they have been in black letter, on a white ground; adorned by the arms of France and England, quarterly, within the garter, and supported by the lion and unicorn.

There is a good clock, which has a dial on the north-east angle of the tower. On a board in the tower, which has formed part of the *old* one, and now almost obscured by paint, is written—"This Clock, made by George Brownless of Staindrop, Anno D'ni 1707."‡

It is remarkable, that a few aged persons here, still bend the knee on entering the church, but without any knowledge of the cause of that ancient custom, and merely from the example of their forefathers.

There are but few ancient sepulchral memorials in the church—a circumstance somewhat remarkable, considering the very great extent of the parish, and the many families of respectability which have always resided in it. The last resting place of the early Norman lords of Gainford, is forgot; but, it is not improbable that it is in the once "fair chapelle" of the proud fortress which they reared at Barnardcastle, where Leland saw the "faire marble tumbe with an ymage and an inscription in french," and "another in the south

* The initials of Samuel Smith, a celebrated bell-founder, then residing at Micklegate, in York. He was a friend of Thoresby, who mentions him in the account of his museum.

† Mr. James Cranke, brother to a late vicar.

‡ A member of this man's family, I believe, still follows the occupation of a clockmaker, at or near Staindrop.

waul, of freestone, with an ymage of the same"; which, he was told were of the "Baillioles."* The princely race that succeeded to their inheritance, found sepulture in a more magnificent structure, nigher to where they had passed their days; but the subinfeudatories of these successive potent lords—the Gainfords, Headlams, Langtons, Alwents, Falderleys, Hyndeleys, and others, who lived immediately in the vicinity of Gainford, certainly rest, with their widely ramified descendants, within and around these walls.

Yet, of the foliated crosses which abounded in the thirteenth century, when these families were in the plenitude of their prosperity, there remain but three in the church, that can be appropriated with any certainty to civil or military characters; and, of the class of inscribed memorials, there are none existing or remembered, appertaining to the ancient feudal families of the parish, except one of the fifteenth century, commemorating a member of the Brackenbury family; who, nevertheless, buried their dead in their porch at Denton chapel, even after their removal to Sellaby.

What may be the earliest memorial, after the stones in the tower, before mentioned, and what certainly is the most curious now in the place, is part of the effigy of a priest, elevating the host, rudely sculptured, or lined out, on a coarse freestone, in the middle of the north aisle. (See plate, Nos. 1 and 2.) On the fragment of a stone at the foot of this, and of a similar kind, is part of the shaft of a cross and a human foot; so that the effigy was probably represented at full length. These exhibit an early attempt to delineate the human form on the stone covering the grave; though it is doubtful whether much of this rudeness has not proceeded from the unskilfulness of the artist, or the poverty of the friends of the deceased.

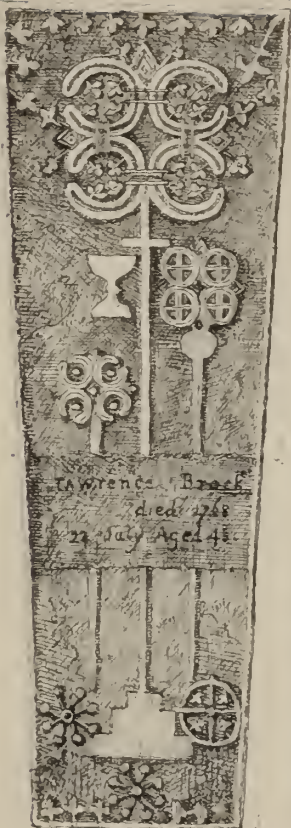
In the north-east corner of the choir, within the altar rails, is a foliated cross, of large dimensions, and unusual beauty, which, no doubt, has covered the remains of a rector or vicar of the church. (No. 3). A part of the stone has been cut away to receive a modern record. There are also three other ancient slabs in the church, which parsimony has selected whereon to inscribe unimportant memorials.

At the foot of this stone is the portion of another, (No. 4.) bearing in relief a cross, on the shaft of which is fixed the sacramental cup, and on one side, a book.

Under the altar table is a marble slab which has been disturbed, and is now placed with its head towards the south. An elegant cross, and a large sword are graven on it in low relief. (No. 5.)

On a flag under the stove is the base of a cross; and in the pas-

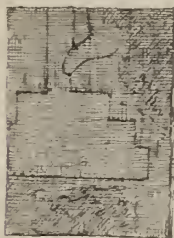
* Itin., vol. i., p. 93.



1-10
72°3



72°1



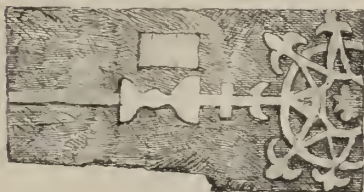
72°2



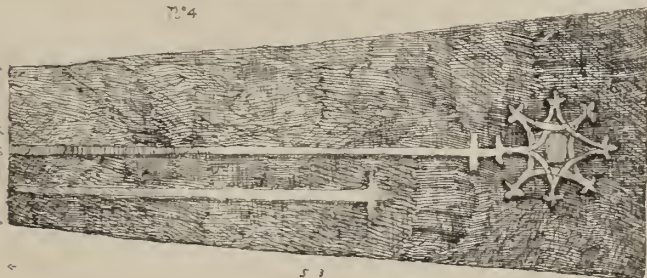
72°6



72°7



3
72°4



5 1
72°5



sage to the vestry and north gallery another stone, with part of a shaft of the same holy emblem, and a portion of a sword blade.

At the west end of the north aisle is a small stone bearing also a cross and a sword. (No. 6.)

The inner part of the head of the upper window, at the bottom of the south aisle, is formed by a sepulchral stone, (No. 7.), graven with a foliated cross, a sword, and some undistinguishable objects. The head of a window, in the other aisle, appears to have been formed by a similar stone, but the design, if any, is turned uppermost in the wall. These windows have been inserted in the sixteenth century, and it is singular, that at a time when their original use could not be forgot, or lightly regarded, they should have been torn from the graves they covered, for a purpose like this—the end, however, might sanctify the means.

On a blue marble flag, 8ft. by 4ft. 2in., at the upper end of the nave, is a brass plate inscribed—

*Hic iacet Will'm's Pegg qui quid'm Will'm's obiit xxiij^o die me's'
Nobe'br' A^o d'ni mill'i'o CCCC^o lxxvj Et katerina vxor eius quo'-
d'm filia Thome Brakenbery Armigeri que quid'm katerina obiit xrb^o
die me's' julij A^o d'ni mill'i'o CCCC^o lxxrb^o quor' a'i'ab's p'piciet?
deus Amc'.*

Allan and Hutchinson* read this person's name *Perry*, and Stephens, the celebrated engraver, *Payn*; but, it is evidently *Pegg*. In the parish register is an entry, under the year 1580, of "William Pegge wife buried"; and, there is a family called Pigg, now resident in the village. The match with Brakenbury is not mentioned in Surtees's elaborate pedigree of that house; but we may conjecture without much risk, that she was a daughter of Thomas Brakenbury of Denton, and sister of the celebrated lieutenant of the Tower.

On a well-preserved brass-plate, 1ft. 10in. by 6 in., affixed to a blue marble slab at the head of the last; but said, in 1766, to be "tore off the stone, and lying in the vestry,"† is engraven, in a bold and elegant character,

*Hec lyeth John Stebson Agnes Alys t m^ogatet hys Wyff,
Whos saulys J^hu habe m^ory.*

On these stones have subsequently been inscribed—on the first—

JOH: EDEN Arm.
obiit 5 Jan.
1768
ætat : 69.

* Hist. Dur., vol. iii., p. 267.

† Randall's MS., F., p. 124.

And on the other—

Timothy Wright, de Snow hall,
gentleman
obiit Dec^{br.} 28th
Ætatis 59
1778.

On an elevated base of plain masonry, eighteen inches high, at the east end of the south aisle, may be observed part of a magnificent slab of grey marble, 8ft. 3in. long and 4ft 7in. wide. The edge is flanged, and bears the inscription in a fine, bold, raised black letter. A small portion, here enclosed by brackets, only is visible; but the whole was thus read, with some unimportant variations in the present visible part, by the engraver, Stephens,* about sixty years ago.

Hic jacet d'ns Will'm's Pudsey Miles & Eliza[beth] bror eius quorum a'i'aru' propicietur deus Amen.] †

Another copy, only literally different, and taken when Mr. Cradock was buried, is given in the *Collectanea Topographica*, (vol. ii., p. 178), from a MS. Kalendar, which had formerly belonged to the Pudseys of Barford.

Mr. Cradock's death is recorded upon the face.

William Cradock, Esq., died the 6th of July, 1736, aged 85.

There is no mention of this Sir William Pudsey, in the pedigree of

* Hutchinson's Hist. Dur., vol. iii., p. 268.

† BARFORD.—One of the residences of the Pudseys was at Barford, in the parish of Forcett, on the Yorkshire side of the Tees, almost opposite to the village of Gainford. As there is no description of this interesting place in the History of Richmondshire, and some of its appearances may not long remain, a few memoranda may not here be considered irrelevant. The estate came into the possession of the family, by the marriage of Henry Pudsey with Elizabeth, the daughter and heiress of Sir John Laton of Barford, in the time of Edward III.; and continued in it until 1659, when it was sold to Barrington Bouchier, of Benninghrough, near York, by the trustees, for the payment of the debts of Ambrose Pudsey, for £10,050. It is now the property of the Earl of Harewood, who purchased it of Walter Fawkes, esq., of Farnley; and in the occupation of Robert Clarke, esq.

The Pudseys have been fortunate in the possession of enviable residences. "The beauties of Bolton attracted," says Dr. Whitaker, "the eyes even of Dodsworth, who seldom looked beyond a charter or a painted window"; and those of Barford, under the influence of ordinary judgment and taste, might easily be cultivated and expanded to an emulation of prouder domains, and more far-famed scenes. The house stands in a low sheltered spot, on a curvature of the Tees. It is a substantial stone building of the fifteenth century, and has been of the quadrangular form, with square-headed windows, trefoil lights, and depressed door heads. I grieve to say *has been*; for here, as at Bolton, innovation has been busy, and swept away one side of its little court—modernized the windows, save one—and destroyed the internal arrangement. Until then, the house appears to have remained in its original state; and would have furnished a perfect and interesting specimen of a class and style of buildings, which can rarely be found inviolate. The entrance to the court is through a spacious arch on the north side, and from thence to the interior of the house through a much smaller arch opposite, with

that family, given by Dr. Whitaker.* He might be an elder son of John Pudsey, by Grace Hammerton, who died without issue; where-

a depressed head. The massy door is still defended by a bolt of oak, about three inches square, which is drawn to and fro in a recess in the wall. The hall is now divided, and its ample chimney converted into a wine cellar. In a large apartment on the east side of the court, is a rude oaken table, whose top is formed out of one massy plank.

In the pavement, before the large arch on the north, is the figure of an antique fleur de lis, formed in coloured pebbles.

A few hundred yards south of the house, the ground rises precipitously, and is clothed with "a covert of old trees," which shade a pleasant bubbling brook that dashes down the side, and then runs along in a deep channel to the river. Along the brow of the hill, the prospect to the south and east is particularly pleasing. The little plain on the left, below, is gemmed by the old mansion of the Pudseys. On the opposite side of the majestic Tees, whose banks are broken on the hither side by high rocks and venerable trees, the weather-stained and gloomy mansion of the Cradocks, on the flat table-land that rises immediately from the river—the village shrouded in trees, with its ancient house of prayer, in one sweet group—will long engage the lingering eye. From thence, wooded copses and fertile meadows stretch away to the north; and still beyond, the rising hills near Bolam, at the extremity of the parish, close the view—while the black wood of Gainford completes the boundary of the prospect, and skirts the horizon on the left.

On the summit of the hill, almost opposite the house, are numerous swelling hillocks, indicating the remains of a village; which, in the old maps, is called, but without any apparent authority, "Old Richmond." It was, doubtless, the village of Barford. The outline of the main street, stretching north and south, is sufficiently discernible, and that of several homesteads. The foundations also, of the blacksmith's forge, indicated by the embers, have been turned up by the plough. Several silver coins, of the reign of Queen Elizabeth, which have occasionally been found in digging, shew that it was not altogether deserted at that time; but nothing now remains save the desolated edifice in which the inhabitants worshipped their God in this mountain—a type of the everlasting truth which had been proclaimed in it. Of its foundation, jurisdiction, or history, I learn nothing. Its architecture indicates the erection to have been about the time of Henry III.; and it was, probably an unendowed chapel of ease under Gilling, which fell at the dissolution. "John Milversen, of Barford Chapell," occurs as a witness in a deed relative to lands in West Layton, &c., 24th March, 17th Edward IV., 1477.

The chapel is of an oblong form, and divided midway, at some time not long subsequent to its erection, by a strong wall, so as to form a residence for the priest, at the west end. The portion occupied by the chapel is 32ft. 5in. long, and 16ft. 2in. wide. It is nearly perfect up to the square; and the massy oaken rafters were remaining in the time of the late Mr. Clarke, who converted one of them into a gate post. The eastern gable is not inelegant. It exhibits three graceful lancet lights, expanding inwards from one to four feet; surmounted by a small, circular, double-cinquefoil window, with a dog-tooth moulding on its outer member. A slight flat buttress runs up to the sill of the middle lancet light. Each of the corners of the wall is strengthened by a projection of similar substance; and, on the northernmost a pyramidal cap remained until the memorable wind of January 1839, when it fell; and, instead of being replaced, was taken, though with a laudable view of preserving it, to form the corner base of some new iron railing, in front of the mansion. There is an entrance to the chapel in each of the lateral walls. That on the north, 3ft. 5in. wide, is low, obtusely pointed, and near the wall of separation. The other is 4ft. 1in. wide, and placed almost opposite. All the lights are of the lancet style. In the south wall three, east of the entrance, are about the size of those facing the east: the other is 2ft. 7in. in its extreme splay. The eastern part of the north side has a similarly pointed light, and a loop hole, expanding in width, respectively, from 1ft. 3in. and 7in., to 4ft. 5in. and 2ft. 1in. The piscina, and another recess which appears to have had a trefoil head, remain in the south wall; and, in the angle of the opposite side, is a trefoil-headed recess, 2ft. 6in. high, 2ft. 1in. wide, and 1ft. 4in. deep; which, judging from the four remaining crooks, has been an aumbry with folding doors, to enclose the sacred utensils. The altar-stone, a slab 6ft. 9in. long, 2ft. 9in. wide, and slightly ornamented on its edge, was thrown down from its place, by a vulgar clown dancing upon it. The wall above has been cut away to receive a sculptured tablet, or painting. Some years ago an opening was made at the south side of the altar, to the depth of six or seven feet; but nothing remarkable was observed. The interior walls have been plastered, and coloured with red paint, in curious

* History of Craven, p. 110.

by the inheritance devolved on Henry, who was buried at Bolton, in Craven, in 1520, and through whom the line was continued.

On a white marble tablet above the south door—

In memory of ELIZA youngest daughter of the late RICHARD SCRUTON, of the City of Durham, and Mary his wife, ob: June XIII A.D. MDCCCXXXIV, Æt. XXXIX. Her remains are deposited within the south porch of this Church.

On the east side of the south door of the nave, is a mural monument of elegant design, but in a dilapidated condition. It is of soft stone, and has a semicircular pediment, highly enriched, and supported by two columns of the Corinthian order. On the east side of these, stand two well-executed figures of cherubs—one in a mourning, the other in a supplicating attitude. Several seraphs' heads are introduced in the sweep of the pediment, enveloped in rays and clouds of glory; and on its apex is an armorial shield, bearing—*Argent, on a bend, vert, three wolves' heads, erased, of the first*; impaling, no doubt, Garth, for the paint has quite peeled off. Crest—*Out of a ducal coronet, or, a dexter hand proper*. Below, on drapery, are wreaths of flowers, a death's head, and an hour glass. The name of the sculptor is preserved on one of the pedestals for the cherubs.—ATMARR, FECIT; and on a slab of black marble is inscribed, in gilt letters—

devices. The principal pattern—a kind of chequered-lozenge—appears perfect in the head of one of the south windows; and a star, such as school boys form by intersecting circles, occurs with a border, in another window jamh.

The apartment which has been occupied by the priest, has been severed from the chapel at an early period; and has been, subsequently, divided again into an upper and lower story. It is 31ft. long; and communicates with the chapel, on the northern side, by a flat-headed doorway, 2ft. 5in. wide. In this portion of the building are two doorways, and one, at least, intended as an entrance to the chapel before its division. It has a semi-circular head; and has been walled up at an early period. A stone, with two compartments of a lozenge-shaped moulding, which appears to have come from a still earlier building, forms part of the materials. The other door is a little eastward of this. It is under a pointed arch. The jambs have had a slight circular shaft, one capital of which is relieved with a nail-headed moulding. This doorway has, also, been walled up; and a small square window, divided by a thick, plain mullion, inserted in the upper part. The west end has a very long lancet light, 18in. wide, which served both stories. In the south wall is a pointed light, and a round-headed loop hole near it, on the ground-floor alone. The north wall has partly fallen in; but there are remains of two loop holes, with flat heads in the lower, and as many, but apparently with pointed heads, in the upper story.

There is, in the hasement story of this apartment, a fire-place, 4ft. 11in. wide, with a projecting funnel, resting on two large and plainly rounded brackets—15in. wide, and 13in. deep; and a small one in the upper story: the termination of the chimney forming a pointed turret for the bell. Between the chapel and the house there is a loop hole, expanding to the latter from 3 to 11 inches, which has either been for a confessional, or a means of enabling the priest to make his observations, unseen, on what was occurring in the chapel. The chamber has also communicated with the chapel, by a door on the south side.

The bridge, over the brook between the village above mentioned and the chapel, is of an early pointed date, with ribs and other characteristics of its period.

On the brow of the hill, north of the chapel, is one of those tower-shaped, and picturesque Dove-cotes, which are, I believe, peculiar to the county of Durham. It appertains to the manor-house; and has been erected on this eminence, in conformity with the ancient belief, that pigeons will not settle, or huild, hut in such elevated situations.

In Limine Vicino
Et sacris præforibus tenetur pulvere
 Maria conjunx Johannis Middleton Gen.
Spe quam certâ Resurgendi
Intrandiq', Sempiternas Portas
Cum Sepulchra Reddent mortuos
 Maria hæc reliquit, Mariolam
Quæ vix prius cœpit vivere quam jlla desijt
Orta est ex veteri GARTHORVM Stirpe
 Patre Jonathan et avo Gvlielmo de Headlam Sen.
Obijt ad 8 Cal; Aug: Ætatis 19
Annoq. Domini MDCCVI.
 Mariam sequitur Johannes Middleton
Juxtaq. Sepelitur
 Qui amissæ Conjugis in piam memoriam
Sepulchrale hoc dùm struit marmor
(Fato sic visum est) Ipse moritur
Nempe die Martij. 21^{mo}
Æt^s suæ 40^{mo} Annoq: Domⁱ:
MDCCXI.

At the lower end of the south aisle, on slabs on the floor—

W. N. S. ob. June 21, 1767.*

This stone is inscribed to the Memory of Mary Swainston, who died June 20th, 1809, Aged 72.

Near the font—

William Stephens, of Gainford, Gent., died 14 Oct^r 1781, Aged 72 years.
 Also Mary wife of the above, who died the 20th Aug^t 1782, Aged 47 years.

Bowes Garth
 (of)
 Bolam Gentleman
 obiit Sep. the 7th
 Ætatis 63 1781.

Sacred to the Memory of Mary Swainston, who died July 9th, 1805, aged 84.

In the north aisle, before the Garths' pew, is a noble marble slab, 9ft. 4in. long, by 3ft. 8in. wide, which has never been inscribed; and if, as is probable, the chantry of St. Mary was here, it may cover the dust of its founder. At the west end of the south aisle is another marble slab, 4ft. 11in. by 2ft. wide, from whence a brass has been removed, which is remembered to have commemorated a Pudsey.

* 1767. June 22. William Nathaniel, son of Mr. William Stephens of Gainford, buried.—*Parish Register.*

In a pew, also, near the north door, is a marble, whose brass is apparently concealed by the boarded floor.

Near this is a stone in the floor, inscribed—

Here lies y^e body of
Cuthbert Swainston
Who departed this life
January y^e 24th
1738 Aged 39
Mary his daughter
Lying on the rite hand aged 2
Also Mary wife of the above Cuthbert Swainston
who departed this life
December the 1st 1779 Aged 81 years.

On the south side of the altar is a brass plate, whereon the inscription is not indented, but embossed in grooves or channels, commemorating Roger Kirkby, vicar of Gainford from 1401 to December, 1412; and to which office the mysterious dignity mentioned in the second line merely relates. In his will* he appointed this as his place of sepulture, but the small freestone which covers his remains has probably been disturbed; for at present the plate is not placed across it, as usual, but diagonally.

Hic iacet humatus Roger Kirkby vocitatus
Templi p'latus erat istius intitulatus
Ort quisq's deo memor ut sit eius miscendo
Crimina tergendō p'cat ubiq' reo.

On a brass plate, framed with oak, stained black, and placed against the wall, on the north side of the altar—

Argent, a fess gobony, *or* and *sable*, between three lions' heads erased, in chief, and a boar's head crased, in base . . Impaling two coats party per fess, *argent* on a canton, (*sable*?) a bend . . . ; and *argent*, fretty, (*sable*?). Crest: an hazel branch, fructed *proper*, debriused by a bow, bent in pale.

HERE LIETH INTERRED THE BODIE OF MRS. MARY BIRCKBECK, WIFE OF MR. THO: BIRCKBECK OF MORTON. SHE WAS OF HONOVABLE EXTRACT LIBERAIL EDUCATION, AND PIOUS CONVERS. WHO DEPARTED THIS LIFE *Julie the 14th, An'o Domi* 1668.

It appears from the parish register, she was buried on the day

* In primis, lego animam meam Deo, et Beatæ Mariæ, et omnibus sanctis; et corpus meum ad sepeliendum in choro Ecclesiæ parochialis de Gaynford, juxta altare, ex parte australi.—*Surt. Soc., Test., &c., e Regist., Langley, fol. 56.*

she died, perhaps, on account of the contagious nature of her disorder. "1668, July, Mary, y^e wife of Thomas Brickbeck of Morton buried y^e 14th day." She was his second wife, and died his widow; but neither her maiden name, nor that of his first wife, has been ascertained. The arms are not, I believe, those of any ancient Durham family, unless the canton and bend appertain to the Ratcliffes of Headlam; and, in the blazon of his own, the boar's head appears for his "difference," as a younger son.

On the floor, within the altar rails, near vicar Kirkby's brass, is this memorial of a successor, but of another faith, and of other times:

HIC SEPULTUS EST THOMAS MALET
 FILIUS THOMÆ ET SARÆ MALET
 NATUS IN AGRO DE POINTINTON
 COMITATU SOMERSET
 SEPT. XXVII AN^o DOMⁱ MDCLXIII
 SCHOLÆ WESTMONAST. ALUMN.
 POSTEA SOCIUS COLLEGII TRIN. CANT.
 POSTREMO VICARIUS
 ECCLESIE GAINFORD
 UBI FIDELIS PASTORIS OFFICIO
 ANNOS XX FUNCTUS
 OBIT FEBRUARII IV^o
 AN^o DOMⁱ MDCCXX
 ÆTATIS SUE LVIII.

On a slab before the altar—

Laur: Brockett de Headlam ob. 24 November 1750 Æt. 56.

On another—

Henricus Filius Primogenitus Lawrentii & Annæ Brockett de Headlam obiit
 18 ma. die Novemb A D 1752 Ætatis suæ 33.

On the ancient foliated cross—

Laurence Brocket died 1768 24 July Aged 43.

On modern flags—

Sacred to the Memory of SUSAN wife of George Beachcroft Esq^r of Headlam Hall who departed this Life October 31st 1837 Aged 37 years.

Sacred to the Memory of William Neville Brockett of Headlam who departed this life November 12th 1840 in the 79th year of his Age.

His father, Professor Brockett, was the last person who was buried, according to the custom of the family, by night, and with torch light. There are several persons, now living, who retain a

vivid recollection of the awful solemnity of the scene, as the procession moved slowly on, with its line of torches, down the long and shady lane from Headlam, to the last resting place of the dead. Many families of respectability formerly committed, thus appropriately, their kindred to the dust; and perhaps at no time, nor under any circumstances, could the sublime service of the Church be more efficiently addressed to those, for whose benefit and consolation it is intended. The practice of burying the dead by night is said to have originated with the primitive christians, who were compelled to it through fear; and that, afterwards great persons adopted the same, and carried torches, as well for convenience, as to express their hope that the deceased had gone to the regions of eternal light. The original intention, however, of the lights, in this country, was to frighten away evil spirits, which were believed to have power over dead bodies, in the interim between death and burial: hence, the provision for corpse candles, in most ancient wills.

On a neat mural tablet, on the north side of the choir, is the following elegant inscription, written by the Rev. Stephen Whisson, B. D., the friend and fellow Collegian of the deceased—

Juxta conduntur reliquæ Reverendi Tobiaë Heyrick, S.T.B.
 Hujus Ecclesiæ per XXVIII annos Vicarij:
 Viri, literis, Probitate, Ingenio festivo,
 Et jucundis Moribus, ornati.
 Ædes suas patere semper voluit Amicis et Pauperibus:
 Illorum gratiam conciliabat vultu et mensâ hospitali,
 Seriis miscens ludicra, spargens hic & inde sales jocosq',
 Facietiarum non inurbanus cultor:
 Horum precibus sedulo occurrebat,
 Inopiam sollicito sublevans animo
 et liberali manu,
 Obiit 30^o Martij, MDCCCLXXXII, Ætatis LXXII.

Arms above.—*Argent*, a fess *vair*, *or* and *gules*, a martlet for difference. Crest, a bull's head, (untinctured) gorged with a chaplet of roses. VIRTUS OMNIA NOBILITAT.

On a white marble tablet near the last—

SACRED TO THE MEMORY
 OF
 JAMES MENZIES CLAYHILLS
 ELDEST SON OF
 G. D. CLAYHILLS HENDERSON ESQ.
 OF HALLYARDS N. B.
 WHO DEPARTED THIS LIFE
 ON THE 14TH DAY OF FEB^R. A. D. 1834.
 AGED 4 YEARS AND 3 MONTHS.

In the south aisle are four hatchments. On the east wall—

Azure, three dexter gauntlets *or*, a crescent for difference; impaling, *argent*, three spears, erect, in fess, *azure*—on a chief of the last, a lion, passant guardant, *or*.—*Lysaght*. For Frederick Vane, esq., of Sellaby, second son of the first Earl of Darlington.

Near this, on the south wall.—

Quarterly, first and fourth, *argent*, on a chevron *azure*, three garbs, *or*—*Cradock*; second and third, *argent*, on a chevron *gules*, three martlets, *or*, on a canton, of the second, a rose of the first—*Sheldon*. Impaling, per pale, *argent* and *gules*, a lion passant, counterchanged.—*Place*. Crest a bear's head, erased, *sable*, billetty and muzzled, *or*. For Sheldon Cradock, esq., of Hartforth, (only son of Wm. Cradock, esq., of Gilling, and Mary Sheldon his wife) who married, in 1739, Elizabeth daughter of the Rev. Edward Place, Rector of Bedale, and was buried in this aisle, among several of his family, 13th of March, 1752.

Cradock, as before; on an escutcheon of pretence, *azure*, a fess, *ermineois*, between three antelopes, passant, *argent*. For Sheldon Cradock, esq., of Hartforth, near Richmond in Yorkshire, who died 12th of June, 1814, aged 73, and was father to the present Colonel Cradock, of that place.

On a lozenge, the same bearing for his wife Elizabeth, only daughter and heiress of Christopher Wilkinson, of Thorpe on Tees, who died 25th August, 1812, aged 60.

THE BURIAL GROUND is entered from the village at the north-east angle. It is a pleasant, verdant spot, where the poet would

“ Call on death, in many-mused rhymes ”;

and one in which each passing breeze murmuring through the shady grove, and the rushing of the impetuous torrent below, will gently sooth the mind of the contemplative man, and dispose it to exalted and solemn meditation. Numerous swelling hillocks, covering the dust of many generations, extend round the building; and even the dreaded north side, which superstition has inveterately assigned to those for whom the church has not performed her first or last rites, has long been tenanted in peace. On this side, also, where it appears the fragments of stone and rubbish, that remained after the erection or repairs of the church, were deposited, a stone coffin was discovered in Feb., 1790; of which, and of its contents, an account* was sent by Mr. Cade, to Mr. Gough. It had a circular cavity for the head, in which was found a skull, and in the other part some bones; and measured 5ft. 8in., but constructed so narrow as never to have

* Printed in Nichols's Literary Anecdotes, vol. viii., p. 323.

admitted of a lid; excepting a duplicate, fabricated similarly to that in which the corpse was deposited. "Altogether, it very much resembled those original ones found at Twynham in Hampshire; except that this was hewed out of the solid stone, and had a hole at the bottom" to draw off the moisture. "On examining the relics, part of an antique seal ring was discovered, formed of some metal that had been gilded or varnished with gold; and containing a green stone or flux—the intaglio a cupid, with something like a hammer or pickaxe in his hand, raised against a festoon or olive branch; but unfortunately, the person who found it, broke a part off in attempting to hammer out the device." This curious relic, of which Mr. Cade was in possession at the time he wrote (Oct. 2, 1790), the metal part having been previously lost, he supposed had been fabricated by the Jews, in the twelfth century; and, with somewhat less probability, to have been the secretum, or counter-seal, of some of the lords of Raby, who might be buried here. I am not aware who is now in possession of the stone.

About one hundred years before the discovery of this coffin, another of a similar shape was found a little below the surface, where that was deposited. "On taking it up, there appeared, for some depth, a fabrication of mortised stone and clay, in every respect resembling those receptacles of mortality at Twynham;" but nothing further was observed, and the place was filled up with soil. It was afterwards purchased by a publican in the village, who used it as a cooler for his wort; and, after being prostituted to other ignominious purposes, was observed by Mr. Cade, in a mutilated state, in the shape of a pump trough.

The following memorials seem only to require commemoration, though many more,

"With uncouth rhymes, and shapeless sculpture decked,
Implore the passing tribute of a sigh."

On a worn and defaced brass plate, affixed to a large stone in the south-east part—

EDMONDUS FOTHERBY, A. M. FILIUS D'NI JOH'S FOTHERBY DE BARHAM, IN COM. CANTIJ EQUITIS; SCHOLA WESTMONAST. BONIS ILLE ERAT IMEUTUS LITERIS, QUAS TRIN. COLL. CANT. ALUMNUS COLUIT, SOCIUS EXPOLUIT, ET CUM HUIC ECCLESIE DE GAINFORD (CUJUS PER XLI ANNOS VICARIUS FUIT) SANA DOCTRINA ET VITA PROBA PIAQ' PRÆFUISSET, DEFUNCTUS IN DOMINICÆ VINÆ LABORIBUS, XII DIE MARTIJ, ANNO ÆTATIS 76, DOMINI MDCC. HIC REQUIESCIT IN PACE, JUXTA RECONDUNTUR DUO IPSIUS LIBERI, MARTINUS ET ELISABETH.

On plain altar-tombs between the vestry and north aisle door—

To the Memory of
 THE REV^D. TOBIAS HEYRICK,
 Bachelor in Divinity
 Twenty-eight years Vicar of Gainford
 who died the 30th of March 1782 Aged 72.

Sacred to the Memory
 of the Revd. BERTRAND RUSSELL, B.D.
 who was educated at Westminster
 elected Fellow of Trinity College
 Cambridge,
 and lastly Vicar of this Parish
 where he resided
 with Exemplary Integrity
 exact Diligence, and sanctity of Life
 upwards of six years.
 He died Nov. 29th 1797 aged 50.
 This monument his afflicted widow caused to be erected.

Sacred to the Memory of the Revd. JOHN CRANKE, B.D. Twenty years Tutor
 of TRINITY COLLEGE CAMBRIDGE, and *Eighteen Years* VICAR of this PARISH.
 Died Sept. 6 1816 Aged 72 years.

The Remains of the Reverend JAMES BLACKBURNE, A.M., late one of the
 Fellows of Trinity College Cambridge, and Seven Years Vicar of this Parish, who
 Deceased on the 4th day of March, A. D. 1824, in the 56th year of his Age, lie
 beneath this Stone.

At the south-east corner.

Here lieth interred the Body of Elizabeth wife of John Garth of Headlam,
 Gent : whe departed this life Novemb. the 2nd, in the 32 year of her age. An'o
 D'ni 1711.

Here lieth the body of Anne wife of Ralph Clark of Headlam Gent. Who
 Departed this Life January 3d. Anno Dom. 1727 Aged 62 years. Here lies
 the body of Ralph Clarke Gentleman Who departed this Life Ianuary : y^e 30,
 1736 Aged 72. Likewise Timothy Rounding Grandson to Ralph and Anne
 Clarke died Sept. the 8th 1741 Aged 34 years.

The whole of the foregoing are inscribed on altar-tombs.

On a low, half buried head-stone, "with nettles skirted, and with
 moss o'ergrown"—

Here lies the body
 of John Burrell* of
 Field House Who
 Departed this Life
 August the 3^o Ætatis
 Suxæ 69 Anno : Dom.
 1728.

Also Catherine the wife of . . .

* 1659, Decemb. John the sonn of John Burrell baptiz^d the 1 day.—*Par. Reg.*

On the back of the stone is the following artless rhyme.

Lament him not it is in
vain for why
God has appointed on^{ce}
for all to die
And tho the Wor^m his
Body Will decay
We must expect the
same another day.

On a small stone reared against the wall of the vicar's garden.

Here lieth y^e Body of Mary y^e Daughter of elijah White who Departed this life February 26 An'o Domini, 1722.

Richard Aselby Died May y^e 1 1734 Aged 65.

Mary y^e wife of Richard Aselby Died Oct. 29 1736 Aged 67.

On the north side of the church—

Here lies expecting the Resurrection which she hoped for with a faith beyond her Age, Sarah, the daughter of Marmaduke Cradock Esquire, and Dorothy his wife, of *Gainford* : She lived to the Age of 20 years, and deceased the 17th day of February, 1790. Also Sarah, the wife of Samuel Waddington Esquire and Daughter of Sir John De la Fontaine Tyrwhitt of *Stanfield* in Lincolnshire, Baronet. She lived to the Age of 77 years and deceased the 15th day of March, 1794.

Near the school—

To the Memory of the Rev^d Philip Airey, late of this place, minister of Whorlton and forty two years master of this school who departed this life July 14, 1793, aged 63. Mary wife of the above Philip Airey, departed this life Feb. 14, 1798, aged 68.

On an altar tomb at the south side—

Thomas son of Ralph Hodgson of Alwent, departed this life Jan. 24 Anno Domⁱ 1719. Elizabeth wife of Ralph Hodgson of Alwent. Feb. 6, 1720. Mary daughter of Ralph Hodgson, April 17, 1724, aged 15 years. Ralph Hodgson, the husband of the above Elizabeth died, at Alwent, May 8, 1756, aged 75 years.

On a similar tomb on the north side—

Here lieth the body of George Hodgson of Alwent, who departed this life June 13th 1778 aged 65 years. Also his daughter Margaret, who died the 3d of March 1777, aged 15 years. Elizabeth his wife, who departed this life, Jan. 8, 1784, aged 60 years, Elizabeth his daughter who departed June 3rd 1786, aged 32 years.

Here lieth the body of Sarah Lipscomb, who died the 2d of April 1794, aged 81 years. Matri dilecti posuit filius.

To the memory of his much beloved and much lamented wife, Jane Elliot, who exchanged this life for a better, the 25th day of Aug. 1798, aged 51 years, this monument is erected by her affectionate husband, John Walton Elliot, Esq. A D 1799.

Sacred to the memory of Captain William Richardson, many years commander of a ship in the East Indies, who died 21st August 1799, aged 61 years.

On a tablet placed against the south wall of the nave—

ELIZABETH WALTON formerly of Staindrop departed this life on the 15th Jan^y in the 68th year of her age. A. D. 1818. To the Revered memory of a woman who spent her life so far as our imperfect condition will admit in the conscientious Discharge of her duty to her God, her friends and her fellow Creatures, they who best knew her worth dedicate this humble memorial.

On an altar tomb in the south-west corner of the burial ground—

Beneath this stone repose the mortal remains of JANE
wife of GEORGE EDWARD WATTS Esq Captain in the
Royal Navy and youngest daughter of GEORGE WALDIE Esq^a
 of HENDERSYDE PARK N. B. Born 2nd March 1790 died the 6th July 1826.
 Genius, talents and worth adorned her blameless life,
 Gentleness Piety and resignation her early death
 she lived admired and beloved She died honoured and lamented
 And descended to the tomb hallow'd in the recollection
 of all who knew her high moral worth and valuable acquirements.

Near the north door of the nave—

Sacred to the memory of CONSTANTIA COOPER Aged 74, departed this life the 12th of July 1818: widow of the late W^m Cooper D D Archdeacon of York. This faint tribute of Duty and Affection to the best of Christians who in life possessed every virtue meekness Peace; Beloved by all, now gone to reap the reward of a well spent life is offered by her truly afflicted daughter Constantia Cooper.

Here also are deposited the Remains of Constantia Daughter of the late Will^m Cooper D D Archdeacon of York and of the above named Constantia Cooper. She departed this life on the 4th day of August 1833 Aged 71 years.

Within a space, at the west end of the north aisle, surrounded by iron rails—

In memory of Jane Lynn, Relict of Robert Newton Lynn Esq^{re} she died March 1st 1835 in the 83rd year of her Age.

On an adjoining stone—

In memory of Jacob Maude Esq^{re} of Sunnyside Bishop Wearmouth who died at Selaby Hall 15th September 1839 Aged 83 years.

On a headstone near vicar Blackburn's monument—

In Memory of John, the Son of George and Mary Wade, of Headlam, who died the 20th of June, 1795, in the 12th year of his age. Also Mary Wade, Mother of John, died the 17th of June, 1819, aged 73 years. George Wade, husband of the above Mary Wade, departed this life April 11th, 1834, aged 83.

Sweet is the Sleep of them, who bore good will to all.

Near the last is a stone commemorating a person of the name of Thompson. It was dug up in the church yard, and, before it was appropriated to its present use, had a foliated cross and some other object carved on it.

A bubbling spring, in the grove by the side of the church yard, still retains the name of St. Mary's Well.



In the following extracts from the PARISH REGISTER, such entries are presented as illustrate the genealogies of respectable families, and are curious, either from the occurrences they record, or the manner in which they are recorded. The substance of those numerous entries relating to the families of Garth, Mowbray, Birkbeck, Draper, Mossock, Clarke, Brockett, Hilton, and Burrell, are disposed in their several pedigrees, or placed, for the convenience of reference, together with them. Those also, that have been embodied by Mr. Surtees in different pedigrees, are only repeated when additional information is presented. The casualties, and recorded deaths by drowning in the adjacent river, are numerous; but, the number of illegitimate children is not so many as I have seen from a similar district.

To the eyes of many, a duller and more uninteresting volume could not be presented; but for him who loves to linger on the diversified changes and chances of this evanescent state, and on the ever-changing history of man, there are lessons of deep wisdom, and matter for wholesome meditation, inscribed on its dusky pages.

As we peruse the thousand varying records, the impression gathers on us, how little we know of what they are the memorials—how little divine the scenes of wretchedness—the deeds of guilt—the tragic stories—the wild romances—the host of intense feelings—that are there briefly comprehended, but lost and veiled for ever! Still—when we see how the dark stream of time has swept away all to the ocean of oblivion, and that these are the only chronicles of many successive generations, who, without them, had “perished as though they had never been, and become as though they had never been born;” beings who have had the same ends and aims of existence, and hopes of remembrance, as ourselves; but are now in a state of which we know nothing more, but that thence we must follow them—they will teach humility to our ambition, moderation to our expectations, calmness to our disappointments, and induce us to expect and prepare for that day—when, like them we shall be thus briefly recorded, and like them be thus equally forgot.

Well did he, who had perused many, feign one of these ancient chronicles to say:

*What can might, power, or auncient blode adaye,
Or els rpehes, that men cobnt felicitie;
What can they helpe, ferful dethe to assayll?
Certes nothinge, and that is prooved by me.*

Mr. Surtees says, “the first register contains several curious notices by Dr. Cradock; a memorandum of the recovery of the small tithes of Whorlton, in the Consistory Court of Durham, 10th June, 1594; the definite allowance of the vicar’s right to the advowson, glebe, and tithes of Denton, before bishop Matthew, 1st September, 1595; and some account of a successful contest for the same advowson, against George Tonge, esq., by Henry Greswold, vicar, in 1659: who says, he collected as many of the scattered leaves of Cradock’s old register, as had escaped the talons of Sanderson, the intruder’s children, taught by their father’s example to plunder—harpy like.

“Sequentes paginæ vetusti hujus matricis Ecclesiæ S^{ci}. Cuthberti de Gainford Registri, sub tempore Vicariæ Dⁿⁱ Cradocke (qui et Prebendar’ Dunelm’ et Archidiaconi Northumbriæ) consumpti, quot-quot Sandersoni liberorum unguis evaserunt, a patre nimirum doctorum sive a natura seu ab exemplo omnia quæcunque discerpere, et in omnia digitos rapaces injicere, a nobis vero haud minori cura et sollicita pietate quam Sibillina folia collecta consarcinata et compacta.’”

The earliest register that is preserved with the rest in the church, is a densely-written folio, thus inscribed on the first page:

A Register booke containinge the
Names of all the personnes baptized married
and Buried at the Parische Church of
Gaineford since the beginninge of
the reigne of our Soueraigne
Ladie Elizabeth by the grace
of God Queene of England
ffraunce and Irelande
Defender of the faith, etc.
bi: : ex decimo Septimo
die Nouembris, A° d'ni
1558 : deinceps.

BAPTISMS.

In 1560 there are ten entries of baptisms, in the next year twenty, in 1562 twenty-four, and in 1563 twenty-three.

1563. Mr. George Pudsey* bapt. . . . Maij.

There is an hiatus from November 14, 1563, to May 8, 1569.

1569. Georg Brakenbury† bapt. the xith day Sept.

1570. Florence Maddison bap. the xxvth day . . . ‡

1570. June.—Dorothy Fetherston bap. the xxijnd.

1571. Sep.—Cuthb^t Pudsey (alia fawell, *added above in another ink*) bap. the xvith day.

1571. Feb.—Anne Huton bap. the xxvijth day.

1572. June.—Barbarie Cardinall bap. the 3rd day.

The families of Stevenstone, Morton, Maddison, Cockfield, Fowler, Lawson, and others which have been of respectability, appear about this period.

1573. Decemb.—Agnes Brakenbury bap. the xxj daye.

1574. Maie.—Rafe Alwent, illegit, bap. the xiiijth day.

1576. July.—Thomas Brakenbury bap. y^e xvth day.

1577. August.—Frauncis Brakenbury bap. y^e xxvth daye.

1578. Sept^r—Christofer Brakenbury bap. y^e xxist

* 1582. March.—Cutbbert Wrangbam bap. the xxvj day.

1583. April.—Charles Neuill bap. the xxjst daye. §

* There is no mention of this person in Dr. Whitaker's or Thoresby's pedigree of the family. He, and the other persons of the name, recorded in this Register, and that of Staindrop, may—if not members of the Barford family unknown to genealogists—be of the family settled at Stapleton on Tees, not far from Gainford, but on the Yorkshire side of the river; and descended from George Pudsey, third son of Thomas Pudsey of Barford, (by Elizabeth his wife, daughter of John Lord Scroope of Bolton) and Julian, daughter of Girlington.

† The whole of the entries relating to the Brakenburys have been re-traced in modern ink: and are printed here entire, since several of them are not noticed in the published pedigrees.

‡ Probably a daughter of Lyonell Maddison, of Unthank, by his second wife.—*Vid. Hutchinson, in Frosterley*, vol. iii., p. 358.

§ A descendant, perhaps, of the Nevilles of Weardale.

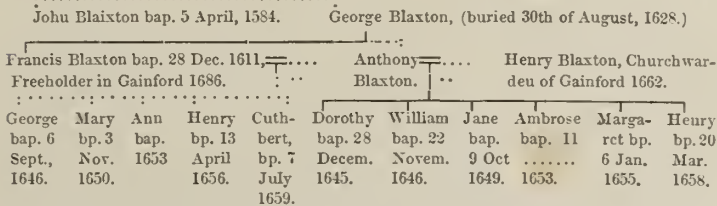
1584. April.—John Blaixton bap. the fiftē daie.*
 1584. Decemb.—Marie Wicliffe bap. the xiiijth day.
 1584. Febr.—Marmaduke Hawden bap. the xxi day.
 1587. Septemb.—William Gaineford bap. the xth day.†
 1588. Febr.—Rowland Headlam bap. the xxiiij day.
 1591. Sept.—Florence Sisson bap. the same (4th) day.

Florence is a name of rather frequent occurrence at this period.

1592. July.—Thomas Hilton bap. the second day.‡
 1592. July.—Jenet Gaineforde bap. the xvi day.
 1592. Sept.—Richard the sonne of John Cradocke Vicar of Gainford born upon the fifth day being Tuesday about seven of the Clock in the Evening, and bap. the xth day.
 1593. May.—Lancelot Wharton bap. the xxth day.
 1593. Febr.—Willm. Alwent bap. the taird day.
 1594. Aug.—Margaret the daughter of John Cradock Vicar of Gainforde borne the ixth day beinge ffrydaie about xii a Clocke in the nighte and bap. the xith daie.

* I am not able to trace the connection of this person with any branch of the numerous and wide-spreading family of Blakiston. The name of Anthony seems common to all of them. John Blakeston of Keopeth, in the the parish of Lanchester, in his will, dated 14th of April, 1623, (Surt., ii., 348) mentions his brother Anthony, his son Anthony, Anthony Blakeston of Thornely, and Anthony Blakeston of Keopeth.

Cuthbert Blaxton m. 8 June, 1582. — Elizabeth Sevenston (Elizabeth Blaxeton bur. Jan. 1598)



† There are several families of the name of Gainford now residing in Yorkshire; and, in the fifteenth century, there was one at Carshalton, in Surrey, that had certainly sprung from this place. The arms of this family, as they appear in the church there,* on the tomb of Joan, wife of John Gainford, who died in 1492, were—*argent*, a chevron *gules*, charged with an annulet *or*, between three greyhounds current *sable*; and, in a collection of badges and crests of English gentry, in the time of Henry VIII., in the Harl. MS., 4632,† we find Ganford has a greyhound current *sable*, collared *gules*. There was, in the same church, a memorial, now said to be lost, of John Gainford, chaplain; and the connection of this family with the village of Gainford is curiously, and further indicated, John *Percebrigge* having been vicar of Carshalton: he died 2nd of August 1494, and was buried there, under a slab inlaid with brass, which still remains. In the Collectanea Topographica, vol. vi., p. 96, are memoranda of the baptisms of four children of Erasmus and Elizabeth Gainsford, of Crowhurst Place, 1650-1656. A restless family of the name, who had, perhaps, sprung immediately from the village, resided awhile near Ripon, as appears from the register of that parish. 1575. *geneforth* sepult. 2 die Julij, puer. 1618. May 13.—Margaret filia John Gaynforth de Studeley (bap.). 1623. October 9.—John filius John Gaynforth of Brakamore (bap.). 1678. June 18.—Anne daughter of Willm. Gainforth of Sawley (bap.). Robtus Gainforth et Isabella Barber nupti fuere 4^o die Maij 1615. 1627. June 13.—Isabell filia Johⁱs Gaynsforth of Sutton (bap.).

‡ This, and numerous succeeding entries of the Hiltons, appertain to the family that then resided at Dyons, a solitary house between Gainford and Headlam, and of whom a detailed account will be found under Staindrop.

* Coll. Top., iii., 328.

† Ibid., iii., 75.

Aye! and many would be the mysterious whispers of the village gossips; for, according to popular superstition, she would have "second sight."

1597. April.—Peter Alwent bap. the xth day.*

1597. Francis the sonne of John Cradocke Vicar of Gaineford bap. vth June born between 5 & 6 o'Clock on 28th of May.

1597. Decemb.—Elizabeth Brakenbury the xxvjth daye.

1598. Feb.—Elenor Brakenbury bap. the vijth day.

1599. Sep.—Anne the daughter of John Cradocke Vicar of Gaineforde borne the viijth day being Saturdaie, and bap. the xvjth daie.

1601. Tho. fili^s Johannis Cradock nat^s 12^o die Octobr^e circa 8^m hora ante-merid: die Lunæ et bap. 18 die eisd. me'sis.

In this year the name of the child's father first appears.

1602. Margr^t filia Thome Brakenbury Julij 11 die.

There is an hiatus between 20th August, 1602, and 17th January 1605, in consequence of a leaf having been cut out.

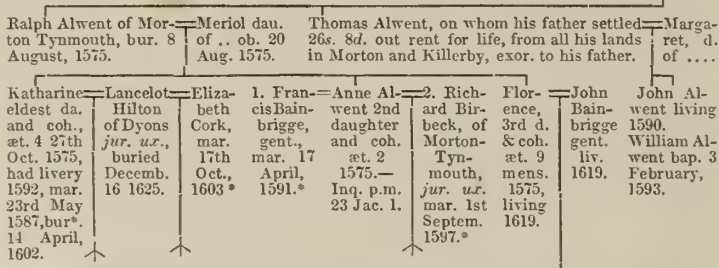
1606. May.—William y^e sonne of John Cradocke borne y^e first daie, being thursday at viij a Clock in y^e morninge and bapt. the viij day.

1606. July.—John the sonne of Francis Brankenburie Esquire bap y^e sixth day.

1608. June.—Jane the daughter of John Cradock borne the 20 day beinge sondaie & bap. the 28 day.

* The following is the concluding portion of the pedigree of this very ancient family; but, straggling entries of the name, and that of Elwine, which is doubtless a corruption of it, occur in the Register, until the latter part of the seventeenth century.

Peter, son of William Alwent, settled two-thirds of his lands in Morton Tynemouth on his son Ralph Alwent and the heirs of his body (Surtees, iv 24), buried at Gainford 10 April 1597.*



Anthony Bainbrigge son and heir, living 1619, and joined his parents in the sale of Alwent Lands in Killerby.

It is probable that a member of this family had resided at Markington, near Ripon, in the time of Queen Elizabeth.

1580. Anna Ellwand, filia Thomas Elwand, baptiz. 18 die me'sis Augusti, de Markento^r.

1582. Robertus Elwand, filius Thomi Elwand baptiz. ii die Septe'bris, de Markenton.

Johanis Elwyne, filia Thome de Markinton bapt. xxij^o die Januarii, 1589.

1625. 19. Mar.—Ann filia Jacobi Elwyne de Agnesgate (bap.)

1631. Aprill 14.—Katheran fa. James Elwyn de Ripon (bap.)†

* Gainford Par. Reg.

† Ripon Par. Reg.

1609. Oct.—Jennet y^e daughter of henrie Eden bap. the viijth day.*
 1609. Decemb.—Ann y^e daughter of Tho. Dowthwayte bap. 29 day.†
 1610. January.—Katherine y^e daughter of henrie Smelt bap. 30th.
 1611. March.—Katherine y^e daug. of Xpofer Selbie bap. xv day.‡
 1612. Feb.—Willm. y^e son of Ric. Alwant bap. y^e xxi day.

1615 is defaced, and portions from 1616 to 1619.

1619. feb.—Richard son of sp brought by m^{ris} Brakenburie bap. xvij.
 1621. of Ric. Alwant bap. x daie.
 1622. Robert son of henrie Follensbie s p bap. ye xixth daie. §
 1623. June.—Joanna Ananias daught^r of James Hilton bap. viijth daie.
 1623. Decem.—Rich. sonn of Jo: Alwent or Elwin s par. bap. the xiiijth daie.

The entries in 1626, 1627, and 1628 are, in great part, damaged and illegible.

1631. March.—Will. Dawson bap. iiijth day.
 1632. April.—Marie daughter of S^r George Bowes bap. y^e vith daye. ||
 1632. May.—Christopher sonn of Richard Elwant bap. the xiiijth day.
 1633. Jan^r.—John sonne of Barnard Douthwaite bap. xijth day.†
 1633. Feb.—Ann daughter of Sir George Bowes bap. y^e second daie. ||
 1633. March.—Pierce son of Mr. John Brakenbury bap. y^e xiith daie.
 1636. April.—John sonne of Mr. John Ewbank bap. y^e xixth daie.¶

* This is the first entry of a family that was, evidently, a branch of the Edens of West-Auckland.

John Eden of Durbam and of — Elizabeth dau. & cob. of W. Lambton, of Belsis, Co. Dur. esq. Belsis *jur. ux. liv.* 1584.

H. Eden, a freeholder Eden of R. Eden* of — Jane d. & c. of J. Hutton of Hunwick esq. in Gainford, 1627. W. Auckland

Jennet d. of Henry Eden bap. 8 Oct. 1609.†

John Eden, of Gainford, Gent., will dated 9th of March 1656, wherein he mentions his cousin William Garth, buried 28 March 1656-7.†

Ann d. of Edward Raine of Gainford gent. m. at Gainford Oct. 30 1645, living 1656.

Isabel Eden.

Margt. wife of William Garth of Bolam, Par. of Gainford.

Henry Eden of Gainford eldest s. & b., bp.† 26 Apl. 1646, will dat. 6th April 1727, bur 1 August 1727.†

Margaret d. of Robert Cbilton of Houghton-le-Spring, Gent., mar. there 21st Feb. 1698. (Mrs. Eden of Gainford, bur. 1743)†

Edward bad £100. left by his father, baptized the 26 of September 1652,† apprentice to Nicholas Richardson of Durbam, 1669, admitted of the Mercer's Company 7th Aug. 1677. (Mr. E. Eden, bur. 28 Apl. 1735)†

Henry, Simond, John, all living 1656

John Eden of Gainford, gent., eldest son, baptized 13 Feb. 1699,† ob. 5 Jan. 1768 aged 69—"leaving the bulk of his property, about £300 a-year, to Robt. Sbafto, esq., M.P."‡—buried at Gainford.—M. I.

Robt. Eden bp. + 28 Aug. 1701, to whom his father left 600l.

1603. Nov.—John Eden buried the xij. day.†
 Mr. Robert Eden, bur. 6 Nov. 1734.†

† Unrecorded members of the family at Westholme, in the parish of Winstone.

‡ I cannot appropriate this, and the succeeding entries of the Selbys, unless they have been of the Winlaton family.

§ There is a manor called Follonsby in the parish of Jarro, from which this family derived their name.

|| Children of Sir George Bowes of Bradley, grandson of the celebrated Knight Marshal. Mary died unmarried; and Ann married Sir Francis Blakiston, of Gibside, Bart.

¶ The Ewbanks were considerable land owners in Staindrop and Cleatlam. See their pedigree in Surtees, vol. iv.

* Will dated July 20, 1584.—Randall's MSS., C. 253.

† Gainford Par. Reg.

‡ Newcastle Paper.

1636. Rich. the son of Gawin Grame bapt. 19 Feb^r

From 1636 to 1657 the ink having become yellow, has been re-traced.

1637. Henry the son of John Brakenbury Esq. bapt. 2 Octob.

In 1638 the residence of the child's father is first designated.

1639. Elizabeth the daughter of Geo. Heighington bapt. 23 Oct.*

Families of the name of Ripon, Ripley, Masham, Headlam, and Wycliffe, have resided in the parish about this period.

1640. Margaret the daughter of Rowland Lanchester of Piercebridge bapt. Novemb. 15.†

1642. May 8.—A poor travelling woman bapt.

1642. Rob^t the son of *Plato* Williamson of Piercebridge bapt. the 5 of June.

1642. Isabel the daughter of Roland Lanchester bapt. 1^o november.

1645. Margaret the daughter of Mary Dent, Incerto patre, but she only layd it to Rich^d Bainbrigge, servant to Mr. Henry Draper, was baptized Septemb. 21.

1646. Daughter of Collonell Will. Forbus (*Rebeckca fforbus*) bapt. 5 of April.

1649. Eliz. daug. of Row. Lanchester 9 Dec.

1651. Mary daug. of Cuthbert Featherston bapt. the 22 of februarie.

1654. Ralph son of Cuthbart Fetherstone bapt. the 18 of October.

1655. Mary daught. of Willm. Ellwin was bapt. the 16 of September.

1655. John Graham a stranger bapt. the 22 of December.

1655. John son of Mr. Ralph Willey was baptized the 31 of December.‡

1658. July.—Cuthbert Billingham the son of Mr. Tho^s Billingham bapt. the 17 day.§

1659. Courteous Reader this is to let thee understand that many children were left unrecorded or redgestered. But the reason and cause was this: some would and some would not, being of a fickle condition, as the time was then: this being their end and aim to save a groate from the poor Clarke, so they would rather have them unredgestered. But, now seeing it hath pleased allmighty God of his Love and mercy to send us a king, now it is their design to have them redgestered, who before were unredgestered, as nameley:

George the son of George Boulton, &c. &c.

Many of the stubborn parishioners still, however, kept loyal Robert Burne,|| “the poor clarke,” out of his grote, for very few seem to have availed themselves of the change of circumstances. It is

* Dorothy, daughter of Mr. George Heighington, bapt. July 5, 1652.—*Aycliffe, Par. Reg.*

† The Lanchesters of Richmond were, no doubt, descended from this family. Henry Lanchester was Mayor of that borough in 1720, 1729, and 1745; and another of the same name also held the office in 1758, and 1770. A family of the name resided at Hewick, near Ripon, in the time of Charles II.

‡ The Willeys were of Haughton-le-side, in the chapelry of Denton, and resided there as early as 1402, fourth Hen. IV. Surtees deduces their pedigree from the time of Queen Elizabeth, to Ralph Willey of Croft, 1650, son of John Willey of Haughton. This is, probably, his child.

§ Perhaps son of Thomas Billingham, who sold Crook Hall, near Durham, the ancient family estate, in 1657, to Christopher Mickleton (Surtees vol. iv, pt. 2., p. 139.). “Thos. Billingham, Esq.” was residing at Gainford in 1661.

|| Vide list of subscriptions, p. 25.

probable that Sir Samuel Garth, the author of the Dispensary, was among those who were left "unredgestered." There is no entry of his baptism, or that of his second brother; but that of this third is found in 1664. His sister is also "unredgestered" at Gainford.

William the sonn of a Stranger baptized the 17 of November in the yeare 1662. He was borne in Langton of a poore woman who fell sick there.

1660. Peter the sonn of John Ratcliffe baptized the 7th day of March.*

1661. Mary the daughter of Mr. Thomas Billingham baptized the 29 day of August

1662. Collected for y^e distressed people of Riton having destroyd by fire, y^e sum of ten shillings & twopence halfpenny per Henry Blaxton Church warden.

1662. The 6th day of Oc'ber a very sad accedent befell Mr. Henrie Chaiter of Gaineforde as he was coming from Darlington in soe much that he fell from his horse and was suddenly slaine, from which Good Lord deliver us, and was buried nobly by his friends & neighbours the 8th day of the foresaid mounth, together with his funeral sermon, the subject of which was y^e 22 of Revelations & y^e 12th verse.—Et ecce venio cito: Et merces mea mecum est; Etc: &c.

1663. Sarah y^e daughter of Mr. Samuel Downs minister of Boothby in Lincolnshire baptized y^e 24th day.

1663. Sep.—Anne y^e daughter of John Ratcliffe of Headlam bap. y^e 6th day.

1668. Dec.—Margaret y^e daughter of John Ratcliff of Headlam baptized y^e 18th day.

1670. Francis son of Mr. John Brakenbury born Tuesday July 26 bap. 11 Aug.

1673. Jan.—George Punch alias Bolton bap. y^e 11th day.

1674. Ester the daughter of a Stranger bap. 26 Ap.

1674. Jane dau. of Mr. Gilbert Marshall of Sellaby bap. 10 Sep.

1676. Mary y^e daughter of a Stranger who would not confesse her name born at Langton bap. 20th Jan.

1677. March.—Anne daughter of Robert White a Quaker being 18 years of age was baptized y^e 10th day.

1696. May.—Elizabeth y^e dau. of Henry Bouchier of Diance bap y^e 3rd day.†

1744. May 3rd.—George son of George and Dorothy Lockey of Gainford.‡

* The Ratcliffes possessed, for a time, lands in Headlam; but their origin and subsequent history is unknown. They might be of the Ratcliffes of Tunstall, near Stranton, whose pedigree was entered by Flower, at his Visitation, 1575.

† Though this person is not mentioned in the pedigree of Bouchier of Beningbrough, near York, in Dugdale's Visitation of Yorkshire, it is almost certain he was a member of it; since Elizabeth, the wife of Mr. Gilbert Marshall of Sellaby, and Martha, wife of John Blakiston of Newton—sisters of Barrington Bouchier of Beningbrough—were residing near Gainford at the time.

‡ Little thought he who recorded this, that the helpless infant he had just beheld, would one day become an audacious robber and savage murderer; and be expelled from the world that had then just dawned upon him by a violent and ignominious death. The history of his villany was, long after his fearful end, the engrossing topic of the yeomanry and peasantry of Richmondshire and Durham; and a doggerel ballad on them was one of the chief entertainments of their festive evenings. Oft was it then chaunted with such terrible effect, as caused the younger portion of the audicue to repent the distance which lay between them and their home; and excited the fevered imagination, that expected the shivering unhousted spirit of the murderer to flit ever and anon athwart their woodland and lonely path; and the wild and unearthly shriek of his victim to pierce the listening ear with each coming blast. The par-

1769. July 2.—Sarah d. of Marm^{dk} Cradock Esq. of Gainford.

1770. Marmaduke son of Marm. Cradock Esq. bap. Sep. 9.

ticulars of his crimes have never been published, and would scarcely deserve to be so uow, if they did not seem to furnish a peculiar instance of the awful truth of that just denunciation of the Almighty—"He that sheddeth man's blood, by man shall his blood be shed"—of him whose eye no darkness can veil, and who never slumbereth or sleeps.

The particulars of what was supposed to be his first; and, as it generally happens, induced his last crime, are briefly these. In the month of September, 1783, Mr. William Harrison of Red Hall, near Catterick, a respectable farmer, attended the Rood Fair at Richmond, and received a considerable sum of money. Among other transactions, he paid a trifle to a laborer (a neighbour), who made no particular remark at the time; but, after watching him out of the town, was seen following him, at a short distance, on the road, and also into an Inn at Catterick; where George Lockey, and one of his abandoned companions called Christopher Barker, were present. The last comer, after conversing awhile with both of them, left the house, and—on Mr. Harrison shortly after ordering out his horse—was followed by Lockey and Barker, who, it was remarked, left the liquor they had just obtained untouched. Mr. Harrison, after waiting for an unusual period before his horse was brought out, proceeded homeward; and, in a green and sequestered lane near his house, was robbed, savagely maltreated, and left on the ground for dead: in which situation he was found by his man servant next morning. He survived six weeks; but the injury he had received on his head was so great, that, during that period, he was not able to detail more of the bloody deed, than that more than one person was concerned in it.

Suspicion immediately fell on Lockey and Barker, who, after Mr. Harrison's death, were apprehended and examined, together, I believe, with two or three other persons, who, having gone to the infallible tribunal of heaven, had better be forgot; but the laws being then insufficiently administered, and little diligence used in collecting evidence, they were discharged from custody, though not from the odium of public opinion. According to ancient custom the suspected persons touched the dead body, which was supposed would bleed under the hand of the assassin; but Lockey and Barker could, by no means, be persuaded to this solemn ordeal.

These depraved characters now gave unbounded license to their vicious inclinations; and for five years after, were to be found at all the gaming tables, horse races, cock mains, and other scenes of gaiety and dissipation throughout the country—betting, and spending much larger sums of money than it was possible for them to have obtained honestly. At length Lockey began to be haunted by the suspicion that Barker was about to disclose something that might be fatal to him; for, the curse of Cain had long been branded on his brow; and his eye, and step, and downcast mien betrayed the inward workings of a troubled mind. Lockey therefore, it was presumed, determined to conceal the commission of his first, by the perpetration of a second and as bloody a deed; but it was long before he could effect his purpose. At length, after an ineffectual attempt to persuade Barker to sleep in an out-house, on one of their expeditions, he called on him at his house at Brompton, on the afternoon of Tuesday, August 27, 1788; and persuaded him to walk with him. When they had proceeded some distance, Lockey was overheard taunting Barker that he had told his wife of Mr. Harrison's murder, and that *they* were "not safe" with him; and, on coming to a lonely solitude near Easby Abbey, he struck Barker a violent blow on the head, with a shoemaker's hammer, as he was reaching forward to pull some nuts; and then, when he fell to the ground, stabbed him to the back-bone with a large knife. The cries of the dying man, and the infuriated bellowings of a large bull, brought Mr. Ralph Lax, who was inspecting his reapers not far off, to the spot; when Lockey was found sitting on his victim, and dashing out his brains against a stone.—Barker was quite insensible, but breathed twice, and then died. The alarm was instantly communicated to Richmond; and the boys from the Grammar School, who were dispersing at the time, ran down, with many of the inhabitants, and found the murderer sitting on the side of a hedge, in the custody of two serving men. He first declared they were quarrelling; and afterwards said that Barker called on him at home, where he was shoemaking, and persuaded him to come out to gather nuts—explaining the presence of *his* knife by saying Barker had privately abstracted it before they set out; that, when they arrived at the wood, he stabbed him without any provocation, through the lungs; and, was making a second attempt, when he wrested the knife from him, and finding himself unable to struggle with him on account of his wounds, stabbed him three or four times,—once through the liver to the back-bone, which put an end to his existence. In proof of these assertions he shewed some wounds on his hands, and scratches on his breast; but I have been told by a respectable person who was present, that they had been evidently perpetrated by himself. There was a gash, too, on the brim of Barker's low-crowned hat, which corresponded with the sharp end of a shoemaker's

1772. June 6.—John son of Marm. Cradock Esq.
 1773. Dec. 5.—Dorothy dau. of Marm. Cradock Esq. bap.
 1775. March 14.—Doro. dau. of Marm. Cradock Esq. of Gainford bap.
 1779. Feb. 25.—Juliana dau. of Marma. Cradock Esq. of Gainford bap.
 1787. Sep. 20.—Jessey Margarett dau. of Marmaduke and Margarett Cradock, Gainford.
 1790. Jan. 31.—Mary daur. of Marmaduke and Margarett Cradock bap.
 1791. Jan. 2.—Sarah, dau^r of a Stranger who would not confess her name, born at Bolam.

James Byron born Oct. 9, 1803, son of Captain Richard Byron, R.N., son of the Hon. and Rev. Richard Byron,* native of Oldmore, the seat of John Lawson, Esq., in the parish of Bothall, Co. Northumberland, by his wife Sarah Sykes, daughter of James Sykes, Esq., native of Hart-street, par. St. Olave, London.

The entries of MARRIAGES commence in 1569, in which year there are six.

1569. Rob^t Towler and Elizabeth Headlam† m'd. the xixth daie of January.
 1577. Olyver Stephen and Elizabeth Bowes m'r'd. the first daie of October.

hammer; and one of these implements, which was recognised as belonging to Lockey, was discovered a few yards from the place by a woman, who was gathering nuts a short time after. They were two of the stoutest men in the neighbourhood, and Barker was very respectably attired.

A coroner's inquest was then taken, hut the jury suspended their verdict until the 7th instant; as they could not agree in opinion respecting some very material circumstances. He had heen, however, committed to York Castle on the day of the murder; and being tried, and found guilty at the ensuing Assizes, was executed at Tyburn, on Monday, March 23, 1789; and his body sent to the County Hospital, for dissection. The newspapers, of course, stated that he died penitent and resigned; but those who saw him, say that he maintained a sullen silence to the last; and, on being questioned as to his knowledge and share in Mr. Harrison's murder, became pale and confused, and turned aside his face, but would not answer.—The hat and hammer may still be seen among other memorials of murder and crime, in York Castle; and the following fragment of the ballad before alluded to, may amuse those who are interested in the rustic songs of hy-gone days.

At Gainford I was hred and horn,
 And in York Castle I lay in scorn;
 At Brompton followed my shoe-making trade,
 Oh! that I was counted a roving blade.

I took to me a handsome wife,
 I loved her dearly as my life;
 Till the Devil and Nanny Call,
 They did agree to go me halves.
 They counselled me to heat my wife,
 That was the cause of all my strife;

When I set out to Eashy wood,
 All thoughts behind me that were good;
 I took my hammer, also my knife,
 I was determined to take his life.

As he was reaching up some nuts to pull,
 I struck my hammer into his skull;
 And then upon the grass did fall,
 And he aloud for mercy called.
 But I so bloody-minded was,
 I stabbed him as he lay upon the grass.
 O soon Ralph Lax did me pursue,
 Soon was I taken by his harvest crew;
 Immediately to the goal was sent,
 In chains and fetters to lament.
 Oh if this crime should be my end;
 (Its as true a story as ever was penn'd)
 Neither sighs nor tears can save me,
 Nor keep me from the gallows' tree!

* Rector of Winstone and Ryton, Co. Dur., and younger son of William, fourth Lord Byron. He died 5th Nov. 1811, aged 87; and was buried at Haughton-le-Skerne, Co. Dur., where there is a monument to his memory.

† Of this ancient family, who derived their name from the adjoining village, there is a pedigree and some memoranda of scattered branches in Surtees (volume iv.); hut, the descent is not deduced to this period. There are sprinklings of them in the register, until the middle of the seventeenth century; but they seem then to have possessed nothing,

Save men's opinions, and their living blood,
 To shew the world that they were gentlemen.

From some of these later persous, probably, descended the Headlams of Kexby, near York

1578. Nicholas Standinge and fflorence Brakenburye m'r'd. the xxiiijth daie of November.

1579. Anthonie Wharton * and Elizabeth Maddison m'r'd. the xvij daie of January.

1583. Peter Middleton m'r'd. the vth daie of Maie.

1592. Thomas Slater and Dorothy Blaxeton maried the xxxth daie of Aprill.

1593. Thomas Alwente and Margaret ffenwick m'd. the xith daie of December.

1594. William Dixon and Alice Blaxeton m'r'd. the xxvij of October.

1594. Richard Byrcbancke & Elenor Blaxeton m^d. the xxvth daie of ffbruary.

1598. Brian† Stapleton and Alice Watsonne m^rd. the xxxth daie of May.

1600. Jhon Yong and Jenet Biarley mar'd. 12th Oct.

1606. Edward Suerties and Alice Braidforth married y^e xxixth of Aprill.

1607. Marmaduke Hawdon & margret morton married the xx of Sept.

1610. Peter Middleton and Ann Bainbrigge‡ married the xxviiith of October.

1613. Mr. Henry Morton§ & Katherine Phillipp married first of deceb'r.

1614. Myles Middleton & Margret Taylboys|| married y^e sixt of June.

whose pedigree recorded by Dugdale at his Visit., 1665, has been thus enlarged and continued.†

Ralph Headlam, a citizen of York. =

Leonard Headlam, Town-clerk of York, ob. 1641. = Jane d. & h. of John Knaggs of Kendall near Otley. John Robert, a citizen of London Mary. Elizabeth.

John Headlam of Kexby Hall 29 June 1644, ob. 28, bur. 29 June 1664, at Catton. = Margaret 2nd. d. of Sir John Lister of Hull, knt. William ob. unmarried.

Wm. Headlam Esq. of Kexby Hall, bap. 7th Nov. 1648,* br. April 16 1679. John bap. 9 Jan. 1649.* Walter bapt. 5 August 1652.* Frances baptiz. March, 1654.* Charles Headlam Esq., bp. 23 May 1656, will dated 1741. Bridget d. of ... of ... Hc- len. Susana bur. 16 March 1659. Richard bur. 19 October 1664.

Eliza- beth, dau. and coh. = Bridget d. and coh. York 10 July 1792, sup. marit. = Rev. Cuthbert Allanson DD. Chapl. to the House of Commons, and Rector of Wath, ob. 3 June 1789 æt. 54, bur. at Wath. Margaret 2nd. d. and c. bap. 28 July 1731, mar. 25 Aug. 1750, ob. Jan. 1764. Arthur- d. of Mich. Stanhope D.D. Anne Head- lam d. coh.

Jane ob. inf. = Bridget Allanson of York, ob. unmar. = Anna Allanson of Ripon, now living, 1842. Philip Stanhope, fifth = Earl of Chesterfield. †

A George Headlam resided at Markington, near Ripon, in the time of Queen Elizabeth; and I have previously remarked that an Elwyne was then also settled there. It is singular that two families, who derived their names from adjoining places, should reside at the same time in a small village; if they had not come from hence, and one induced the other. There was, too, a person called Gainford, who lived then in their neighbourhood; so that it would seem this sequestered spot was an asylum for all the decayed gentility of Gainford.

April, 1589.—George Headlam & Alice Wylie m. xvij. 1614.—Alicia uxor Georgii Headlam de m'kinton sepulta fuit i Feb. 1622.—Buried January 16 Ann Headlam vid. of Nordus.—*Ripon Par. Reg.*

* A branch of the Whartons of Kirkby Thore, in Westmoreland, settled about this time at Winstone; and acquired considerable interest in lead mines. Dr. Thomas Wharton, of Old-Park, the friend of the poet Gray, was the representative of the family. The Maddisons were of Unthank, in the parish of Stanhope.

† The name of Brian seems to connect this person with the noble Yorkshire family of Stapleton.

‡ She might be a descendant of one of the Baiubrigges mentioned in the Alwent pedigree, or "Bainbriggorum de Snotterton."

§ The Mortons, of Morton Tynmouth, are traced in Surtees, (iv.23); from Thomas de Morton, who married Katherine, daughter and heir of Thomas de Graystones, and died 23rd Hatfield, to John Morton, aged 26, October 24th, 1503. The Phillips were also of Morton Tynmouth, and are briefly recorded in Surtees.

|| An unrecorded member of the family of Thornton Hall.

* Catton Par. Reg. † By W. D. Bruce, Esq.

1615. Sampson Woode & Ellinor Nevell married the xxvijth of January.
 1616. Cuthbert Swainston* and Florence Burrell married y^e xxviii of January.
 1617. Richard Maddocks and Ellenor Burrell married the vith of May.
 1622. Noe Weddings.

The honey moon must have been eclipsed, for in 1620 there were but three.

1624. Henry Marly and Besse Crawforth mar. 27 June.
 1625. Anthony Bullmer and Priscilla Tunstell wid. married 29 June.†
 1638. Thomas Thursbye‡ & Eliz. Marley mar. 24 April.
 1654. Robert Parcival and Margaret Moor married at Raby Castle Nov. 2.
 1655. George Sanderson§ & Margaret Hutchinson of St. Helens Auckland married 18 Dec. 1655.
 1658. Apr. 18 —Byrham Pearson of Eskham & Ann Cradocke of B. Castle married.
 1663. John Crake of Gainford & Ann Cradock of Staindrop married the 16th day of June:
 1669. Andrew Biarly|| & Mary Bird married y^e 15th day of May.
 1676. Mr. Robert Morgan¶ & Mrs. Ellinor Selby mar. 12th Octob.
 1680. Henry Bowes & Anne Beachmond mar. May 16.
 1797. The Hon. Frederic Vane of Sellaby** Widower nupt. Jane Lysaght of Bath in Com. Somerset 7th Sept. 1797.

The entries of BURIALS commence in 1569, when there are sixteen.

1569. Francis Pudsey buried the fourth day of June.
 1571. George Brakenbury bur. y^e viii day of January.
 1573. Janet Byde and Jenet Walker being drown'd in the Tease bur^d the xjst daye of February.

* I am not able to present more of the pedigree of the Swainstons, but I believe there are entries in the register to connect this person with the following.

John Swainston of Gainford, living 1637.	Richard Swainston of living 1637.	Robert Swainston of Gainford, living 1661.
Thomas Swainston, Churchwarden of Gainford, 1715.	The Rev. Cuthbert Swainston of St. John's Coll. Cam., A.B. 1680, A.M. 1684, Vicar of Bishop Middleham Co. Dur.	Elizabeth d. of .. Tong, m. 30 Apl. 1695, at Bishop Middleham.
		Mary=Robert Brabant mar. at Gainford May 25 1684.

Cuthbert Swainston of Gainford, born 1609, = Mary dau. of Brabant, m. at Gainford 16 ob. 24 Jan. 1738 aged 39, bur. at Gainford. May 1726, ob. 1 Dec. 1779 aged 81.

Mary died aged 2, buried at Gainford. Mary ob. June 20 1809, æt. 72, bu. at Gainford.

† He was second son of Bertram Bulmer of Tursdale, Co. Pal. Knt.; and resided at High Embleton, in 1644, and at Ketton in 1661. By this widow of Mr. Tunstell, of Stapleton on Tees, Co. Yorks., Surtees shews him (vol. i. p. 79) to have had "Diana, 1622"; but she must have been by his former wife, who was of Ketton, and is placed, though not noted, as second in the pedigree.

‡ Of that branch of the ancient family of Thoresby, settled at Woolhouses, in the chapelry of Barnardcastle; from whom descended Ralph Thoresby, the learned and pious antiquary.

§ Probably the same person as was Vicar of Gainford during the Commonwealth.

|| The Bierleys were of Midridge Grange, in the parish of Heighington, but I do not find this person in their pedigree.

¶ Of Mill-houses.

** Second son of Henry, first Earl of Darlington.—See the pedigree under Raby.

1574. Richard Dent bur. 6 Nov. *
1575. Rafe Alwent bur. the viij daie of August.
1576. Willm. Rabye bur. 22 June.
1576. Martin Brakenbury bur. the second day of August.
1577. Bowes fletcherston bur. the xxvth day Janua.
1577. febr.—Margret Lyddel bur. the xxviiij day.
1578. June.—Marmaduke Girlington bur. the xviiijth day. †
1583. April.—Charles Neuill bur. the xxvth day. ‡
1585. Octob.—A Straunger slayne at pearcbrigg wth the fall of a wall bur. y^e xxvj day.
1586. Marche.—Vxor Lax bur. the firste day.
1587. Julye.—John Brakenbury bur. the xv day.
1587. Aug.—A stranger dying in Mr. Scroopes groundes was bur. the xth day.
1587. Aug.—An Infante vnbapt^z and a straunger bur. the same day, (22nd.)
1587. Dec.—John Brakenbury wife bur. the xth day.
1588. July.—Agnes Alwent bur. the firste day.
1588. August.—Anne fetherstone bur. the vij day.
1588. August.—Agnes Blaxeton bur. the xxij day.
1589. July.—Anne Neuill bur. the xix day. ‡
1591. Oct.—John Nevile bur. the 26 day. ‡
1592. Septem.—Mr. John Dent bur. the xxvth day.
1592. Feb^y.—Lancelot Ratcliffe bur y^e xix day.
1593. Aug.—Henry Gray bur. the xviiijth day.
1593. Oct.—Margery Thursbye bur. the xxth day.
1593. Nov.—Henrie Hutton sister bur. the xxix day.
1595. Sep.—Wm. Brakenbury wife bur. the vjth day.
1597. Maie.—A Wench found in the tease at pearsbrig being vnkown bur. the xiiijth day.
1597. August.—Richard Ewbank bur. the xth day.
1598. Jan.—Elizabeth Blaxeton bur. the
1599. Aug.—One Nicholas a wandering souldier dieing in Gaineford bur.
1602. Aprill.—Henry Brakenbury Esq. buried the iiij day.
1602. Jan.—One poore traveling ma' dyed in headlam & bur. in Gaineford y^e xxxth.
1603. Apl.—John Dent bur. y^e xvijth day.
1604. June.—Mr. John Cradock bur. the xvth day.
1605. April.—Mabell y^e wife of henry burton bur. y^e vijth day.

* John Dent of Colby in Cleveland N.R. Co. Yorks, afterwards Catherine dau. of Anthony of Piercebridge, buried at Gainford 25 December 1592. Brakenbury of Sellaby.

Debo = Wm. Dent of rah d. Piercebridge br. of 17 Nov. 1596.	Ann dau. of Robert Place of Dinsdale Co. Pal. esq., remar. before 1611 Am- brose Pudsey of High Close Co. Ebor.	.. wife of Henry .. wife of Watson (of Sum- merhouse ?) .. William Jackson.
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John Dent of Pierce- bridge 12 Dec 1623.	William ob. s.p. before 1611.	Dorothy bap. Oct. 1592.	Eleanor. Anne.	Meriol or Catherine.
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† He is not mentioned in Mr. Raine's pedigree (Coll. Topog. vi., 191) of the Girlingtons of Girlington; and if not immediately descended from that ancient house, might be son of Nicholas Girlington of Hackforth, N. R. Co. York., by Elizabeth his wife, daughter of Sir William Hansard of Walworth, seven miles from Gainford; and brother of Nicholas Girlington of Hackforth, who was living in 1585.

‡ After much fruitless research I am unable to identify these descendants of that illustrious race, whose sun had then but just set, amid clouds and storm. If not forgotten cadets of the house of Raby, they may be members of the Weardale family.

1605. Sep.—Mr. henrie Watson bur. y^e iiijth day.
 1607. June.—Will'm Cradock bur. xiiijth daie.
 1612. Apr.—Cuthbert Pudsey alia Fawell bu. iiijth dai.
 1612. Eliza Nevell bur. y^e first day April.
 1620. April.—Rob: Smith perig: dyinge on Langton moore bu. the xxvijth daie.
 1622. April.—Jo. Stodert & elliner Stodert drownd in the tease bu. y^e xvijth daie.
 1624. March.—Mrs. Ann brakenbury wid. bu. xxij^{ed} day.
 1627. Jan.—Will'm Brakenburie bu^d the vjth.
 1630. Decem.—Mr. ffrancis Brakenbury esquire buried the third day.
 1636. April.—Tho: Brakenbury bu. y^e vth daie.
 1637. Oliuer Brakenbury buried 12 June.
 1638. A vagrant whose name is unknown to us buried 10 May.
 1638. Jan.—Margaret Cradocke wid. buried ult.
 1638. A stranger found drowned in the Tees buried 6 martij.
 1642. Wm. Simson clerke of y^e Parish buried the third day of Feb.
 1643. A Stranger and Souldier being drowned, was then buried 15th March.
 1644. A Stranger and Souldier dying in Langton was bury^d 31 of March.
 1644. A Stranger beinge a wounded Souldier buried the 19th of April.
 1649. An old woman bur. 14 Ap.
 1661. Ann Rownwhat died of child bearing, bur. 25 March.
 1664. Aug.—Mrs. Jane Brakenbury, of y^e town of Gainford, was buried y^e 26 day.
 1668. July.—Thomas Windle drowned in y^e river Tees, was buried y^e 20th day.

June y^e 30th 1657.

Mem. The Day and yeer aboves^d Ambrose Rayn was Clarke of Bernard Castle, is chosen Register and Clarke of Gainford, y^e 24 p'sent unanimously p'posing & myselfe accepting & ratifyinge y^e same. Wittness my name subscribed.

Henry Greswold Vicar

of Gainford.

Mem^d. The same 30th of June those of y^e 24 then found liveing were as followeth.

Mr. John Brakenbury of Gainford	John Bell of Cleetham
Mr. Thom. Birkbeck of Morton	John Wrangam Cleetham
John Garth of Headlome	Cuth ^{bt} Wrangam of Bolam
Edw. Raine of Gainford	Nich. Watson of Somerhouse
John Hood of Gainford	John Bainbrigge of Bolam
George Steel of Gainford	Will'm Man of Piercebrigge
John Swainston of Gainford	Mr. Gilbert Marshall of Selaby
Rob ^t Stoddart of Gainford	Rich. Swainston of Gainford
Cuthb ^t Burrell of Gainford	Thom. Fauden of Piercebrigge
Will'm Garth of Headlom	Will'm Rounthwait of Somerhouse
Cuthb ^t Spenser Sen ^r of Langton	John Burrell Ibid
Ralph Singleton Ibid	Will'm Garth of Bolam

June y^e 27th 1658.

Mem^d y^e day & year abovementioned John Tompson of Langton in this p'ish, webster, was chosen clarke & the register, y^e major p'te of y^e 24 then p'sent p'posing & myselfe ratifying & confirming y^e same. witness my name subscribed

Henry Greswold Vicar of Gainford.

1671. Mr. Toby Cradock of Gainford bur^d 16 Aug.

1675. Cuthbert Wade Clarke of y^e Parish of Gainford buried y^e 3rd day.

1677. July.—Mr. Robert Brackenbury of Gainford buried y^e 9th day.*

1678. Octob.—Rich. Clawson of Quarry house in Yorkshire, being drowned in y^e River of Tees, was buried in Gainford Church yard on y^e 22 day.

1684. Apr.—Mrs. Esth. Marshall dy'd at Gainford and was buried y^e 5th day.

Memorand^m That on Tuesday the 27th of Aprill A^o Dⁿⁱ 1697, The Hon^{ble} Robert Boothe, Archdeacon of the Archdeaconry of Durham, with the Rev^d. Hammond Beaumont, official, visitted this Church p^osonally, and then Admonished the Church Wardens to sett up Railings before the Com[']union Table, w^{ch} they are to Certifye under their Hands at the next Michaelmas visitation.

Posth: Smith,

Register

1697. Dec.—Joseph y^e son of a stranger, of what name we know not, buried y^e 13th day.

1698. Ananias, son of Hen. Eaton, bur. 3 Nov.

1704. Sep. 4th—George Meriforth taken out of the River Tees.

1714. Nov. 2.—Mary Sanderson, a passenger, buried.

1717. John Moresby, Curate of Whorlton, died at Gainford, Oct. 14.

1717. Nov. 28.—Ann, Susanna, and Jane, (in one Coffin) daughters of George Robinson of Gainford, bur^d.

1727. A strange woman, called Edlen, bur. 3^d. Dec^r.

1736. July 8.—William Cradock, Esq., Gillain, bur^d.

1745. Dec. 29.—A Soulgier from Pearcebridg.†

1745. Jan^y 30.—A Soulgiers child from Pearcebridg.†

1747. Apr. 18.—Richard son of Sheldon Cradock Esq. of Hartforth.

1760. March 26.—Mrs. Mary Swainston from Bishop Midlam.

1761. Aug. 30.—Mrs Mary Moresby, Gainford, bur^d.

1770. Feb. 25.—A stranger found Drownd in the Grand beck nigh Sellaby.

1774. Dorothy d. of Marm. Cradock, Esq. of Gainford, buried Jan. 1.

Anno 1786. Four Turrets were erected on the Church Steeple, by the subscription of Lord Crewe's Trustees, Mr. John Cade, and Mrs. Elizabeth Heyrick of Gainford: & the inside of the Church rendered more decent and useful for God's service.

June 5, 1786.—John son of William Gibson of Gainford, Paup. The above Boy was drowned in the Teese.

Dec. 13th 1787.—Mrs. Elizabeth Heyrick of Gainford, sister to the late Vicar.

Miss Sarah Cradock, eldest dau. of Marmaduke Cradock of Gainford, Feb. 20, 1790.

James Scot, from Bolam, killed by a fall from his horse, March 16, 1790.

August 1, 1790.—Joseph Forster of Middleton, who was drowned in the Parish of Middleton, about seven months ago.

January 12, 1791.—Died at Kendal, the Rev^d. John Wilson, Senior Fellow of Trinity College, & late Bursar thereof, Prebend of Landaff, vicar of Gainford and

* The aunt of this Robert Brakenbury is said, by Mr. Surtees, to have married Roger Beckwith of Aldeburgh, near Masham, who had a residence in Ripon. The following entry in Ripon Parish Register may refer, therefore, to one of the last members of this ancient and renowned family. — "1668. April 29, Mrs. Dorothy Brakenbury of Ripon bur."

† The English army were now progressing to the north after the Rebels, under the conduct of General Wade, and encamped at Peirebridge. Mr. Raine remembers certain trees on the south side of the Tees, the tops and side branches of which, as the report went, had been cut off that their stems might serve as entre stakes for tents.

Catterick, and Curate of Helsington, near Kendal, & was buried in the Church of Kendal.

Rev. P. Airey, perpet. Curate of Whorlton, buried July 16, 1793, aged 60.

March 19, 1794.—Mrs. Sarah Waddington, 77, Gainford. Her maiden name was Tyrwhit, being one of the surviving Sisters of the late Sir John Tyrwhit, Baronet, of Stanfield, Lincolnshire.

June 30, 1795.—John Addison, aged about 55, found drowned in the Teese, supposed to be disordered in his mind. Coroner's Verdict—Accidental Death.

August 9, 1795.—Elizabeth Brocket sepul^t daugh^r of Mr. Lawrence Brocket of Headlam, (80) but now settled and died at Durham.

March 10, 1796.—The Honble. Harriet Vane (above 70) wife of the Honbl^e Frederick Vane of Sellaby.

Dec. 5, 1797.—The Rev^d. Bertrand Russel, BD. Vicar of Gainford, aged 50 years, died the 29th of November, by all who knew him respected and lamented. Born in the Parish of St. Martins in the Fields, Middlesex, in the year 1747. By Mr. Russel's death the Sunday Scholars of this Parish lost an unwearied and kind Instructor, and the Poor a great Benefactor.

A brief account of the Ministers of the church may not, inappropriately, close this survey.

Of these persons we can ascertain nothing prior to the gift of the advowson of the church to the abbey of St. Mary's; but immediately after, and between 1131 and July 17th, 1132,

BERNARD, son of Hugh de BALIOL, had the church of Gainford, and chapel of Barnardcastle, with the appurtenances,* granted by that monastery, for his life, "*in elemosinam*," on the payment of three marks annually, and the satisfaction of the episcopal dues. This cadet of the house of Barnardcastle, whom the monks thus enabled to live in competency near his kindred and his home, was, perhaps, but a young man when this provision was made for him; since Randal,† in his list of incumbents, mentions one Bernardus in 1174, who might be identical with him. One Laurence, however, certified‡ to bishop Pudsey, 1152-1194, that a deposition of the ejectment of the monks of St. Mary's, from their church of Gainford, was made before bishop William de St. Barbara, 1143-1152, and Ranulph the archdeacon, by one whom he styles "*Warinus presbyter de Gaynesford*." There is nevertheless nothing conclusive in this designation to prove that he was more than a stipendiary priest. Chronology will suggest that the successor of some unrecorded person, who followed this Bernard, was

GILBERT DE LACI, who, as I have before related, received the churches of Gainford, Barnardcastle, and Middleton in Teesdale,

* Appendix No. X., p. v., e Reg. B. Mariæ Ebor., in Bibl. Cath. Ebor.

† I regret that in the absence of Randal's MS list of the incumbents of Gainford, which appears to be lost, I have been obliged to use Hutchinson's, who almost invariably omits all the references of his indefatigable predecessor, and sometimes still more valuable information.

‡ Appendix No. XV., p. vii., e Reg. ut supra.

from the monks, on condition of the annual payment of one hundred shillings.* He is styled "persona de Gaineford" in an instrument touching the chapel of Strcatlam,† whose date is nearly ascertained by the presence of Aimeric, archdeacon of Durham, 1198-1214, as one of the witnesses. There is a probability that he was of the noble house of Laci, and a near kinsman of his contemporary the baron, ‡ Gilbert de Laci, who espoused the cause of the Empress Maud. During his incumbency, also, *Roger Lacy*, the constable of Chester, witnessed Eustace Baliol's confirmation of Gainford church to St. Mary's abbey; but it is not known whether he was of the same family as the baron Gilbert or not. There is no record of this rector's death; but he was, no doubt, succeeded by

STEPHEN, who was instituted "*ad personatum ecclesiæ de Geynesford*," by Richard Marisco, bishop of Durham, in the third year of his pontificate, about § 1220; and at the presentation of abbot Longchamp and his convent.|| We do not know the nature of his avoidance, but he had for his successor

ALEXANDER NOLAN, who, on his predecessor Stephen's institution, had a reservation made of his rights as vicar of the church. He was instituted to the rectory in 1228,¶ by archbishop Walter Gray, during the vacancy of the see of Durham. It was on his death or cession that the monks conferred this wealthy benefice on

G. ST. ADRIAN, a cardinal deacon, who is mentioned in the Bull of pope Innocent,** 1252, as having retained it until his death, when he was succeeded by

OPICION ST. VITALIS, the pope's nephew and chaplain, and canon of Parma, who was at that time in the enjoyment thereof. He was, I apprehend, the last rector of this church, for I have met with none after his time who were so designated; and, in consequence of certain proceedings and arrangements, which I have heretofore detailed,†† a perpetual vicarage was ordained in 1261, when

WILLIAM ROUNDEL was appointed the first endowed vicar, and in right thereof had granted to him certain rights and privileges heretofore mentioned. His connexion with St. Mary's abbey will induce the supposition that he was a nephew, or near relative, of William Roundel, abbot of that convent from 1239 to his death

* Appendix No. XVI., p. viii., e Reg. ut supra.

† Hutchinson's Hist. Dur., vol. iii., p. 308, e MSS Randall.

‡ Dugdale's Baron., vol. i., p. 95.

§ The date of his accession is doubtful.

|| Appendix No. XXVII., p. xiv., e Reg. ut supra.

¶ Appendix No. XXVII., p. xiv., e Reg. ut supra.

** Appendix No. XXIIJ., p. xiii., e Reg. ut supra.

†† Vide pp. 18-19.

in 1244.* During his incumbency, and in 1271 and the succeeding year, the necessities of the princely establishment of the Baliols, at Barnardcastle, seem to have induced them to purchase tithe corn in the parish of the convent of St. Mary's; and there is extant the copy of a bond†—dated at the cell of St. Martin, near Richmond, on Monday after the Feast of St. Michael, 1273,—whereby Sir John de Halghton, and Sir Robert Traynell, knights, residents within the diocese of Durham, Adam Bard of Whorlton, and William Greathead of Barnardcastle, bind themselves, on the part of Sir Alexander Baliol, to the abbot and convent, for the payment of sixty pounds; which he, the said Alexander, had bound himself previously by two bonds, to pay to the convent, Richard Cerf and Adam de Roma, on account of certain corn-tithes arising out of the parish of Gainford, in 1271 and 1272. Of this sum it was solemnly and definitely stipulated that £30. should be paid to the abbot, or his proctor, at York, on the Feast of the Purification of the Virgin in 1274, and the remaining £30. on the Feast of the Passover then next following: a power being given, in default thereof, to the bailiffs of the king, or of the bishop of Durham, to seize and sell their goods, moveable and immoveable, until the demand of the abbot and his expenses had been satisfied. The terms on which the contract was made in the first instance with Baliol, who had thus deferred payment for three years, are not ascertained; but either the baron had paid a high price for what he was compelled to have, and could not elsewhere obtain so efficiently, and therefore might be expected to protract the payment until his own convenience; or, the monks supposed that he and his knightly subinfeudatories and vassals would not be scrupulous in their engagements with a few distant monks: for, with remarkable caution and legal acumen, they caused the persons before mentioned, and each one as principal debtor, to engage in their bond—not only that they thereby pledged all their goods, moveable and immoveable, to the abbot, but to subject themselves and their effects to the jurisdiction of the official of the bishop of Durham, as well as to the distrainment of the sheriff of the Bishoprick; both of whom were, thereby, further empowered without cognizance of the cause, or judicial investigation and evidence, to compel the observance of the bond, against which proceedings, also, they renounced appeal. There seems, at all events, some occasion for the stringency of these terms; but the cunning of the monks needed to be as sharp as the swords of the knights, in days when the abbot's proctor, on his demand at the castle for his lord's debt, might, with greater probability, have re-

* Dugdale's Mon. Ang., vol. iii., pp. 538, 569.

† Appendix No. XXX., p. xv., e Reg. ut supra.

ceived a personal castigation. Sixty pounds, indeed, was a considerable sum even for the great Baliol to raise in so short a time, and that from his poor moorland tenants; and to modern ears conveys a very imperfect idea of the transaction. It would also induce a suspicion that, unless the greater part of the corn-tithes of the parish were included in the agreement, the monks had not returned the "verus valor" of their rectory of Gainford, to the commissioners of pope Nicholas's taxation.

Not long after a less amicable arrangement was made in the parish touching tithes; when Sir John Baliol, afterwards king of Scotland, and younger brother of Alexander, withheld from Roundel the vicar, the tithes of the mills of Barnardcastle, Whorlton, Gainford, Alwent, and Piercebridge; of his foals and the venison of his park of Barnardcastle; those of hay within Barnardcastle park and the forest of Marwood; of coppice-wood in the said park and forest; and of the dove-cotes at Gainford.* The vicar, however, compelled their restitution by the sentence of Adam de Brompton, official of the bishop of Durham, given in the Galilee of the cathedral, on the morrow of St. Peter ad vincula, 1286; who also condemned the knight in such costs as had accumulated since his monition.

In his time, or that of his successor, the lord of Barnardcastle had again need of the monks' tithes; for we find that Thomas Chauncellor, constable of that fortress, by bond, dated there on Friday after the Circumcision of our Lord, engaged himself under the penalty of thirty-four marcs (£22. 13s. 4d.) to pay at Barnardcastle to the abbot and convent, or their proctor, for great tithes (*pro decimis garbarum*) arising from Barnardcastle in 1297, on the next Feast of St. Margaret the virgin; subjecting, as a security, all his goods, moveable and immoveable, to the jurisdiction of the official of Durham, who, in default of payment, should impose ecclesiastical censure until satisfaction was made.

Hutchinson,† or Randall, says that the successor of this William Roundel was Robert de Mortham, 1280; but there must be some error in this statement, since it is shewn, by the document just quoted, that Roundel was in possession of the benefice in 1286. It was, more probably,

ROBERT DE MORTUO MARI, or Mortimer; of whom, however, no particulars can be learned, neither can it be ascertained when the vicarage was given to

WILLIAM PICKERING, who is first mentioned in the capacity of vicar among certain jurymen, on an inquest, taken on Monday

* Appendix No. XXXIJ., p. xvii., c Reg. ut supra.

† Hist. Dur., vol. iii., p. 308.

before the Feast of St. Hillary, 1311.* Some time previously, the abbot of St. Mary's, and his monks and officers connected with this church, had incurred the sentence of interdict and excommunication on account of the non-payment of their arrears of the six years' tenths, granted by pope Nicholas IV., and due from it. But they received absolution † from William, prior of Durham, who was appointed by the pope to collect the same, by his letters patent, dated at Beaurepayr, on the Wednesday after the Feast of St. James the Apostle, 1310.

In the Register of bishop Kellawe, by the valuable pages of which the existence of Pickering has alone been preserved, are some documents, which will afford to those who are not particularly acquainted with the history and customs of that day, a somewhat novel idea of the ancient duties of the vicar of Gainford. They may serve, too, as examples to show, how powerfully and diversely ecclesiastical authority was then employed; and, how readily its great engine of excommunication was brought to bear in all exigencies—especially in accelerating the movements of reluctant debtors.

On the 22nd of March, 1311, Pickering was desired by the bishop to announce, publicly, the absolution of the rector of Winston, from excommunication, and his church from the interdict that had been imposed, for the non-payment of a debt of £8., which he owed to the king.‡

Not long after, the convent of St. Mary's were excommunicated, and had an interdict imposed on their church of Gainford, in consequence of the non-payment of their share of the expenses of the proctors of the clergy,§ who were sent from this diocese to parliament;|| but, on the 2nd of April, the bishop, who was then at his manor of Stockton, instructed the rural dean of Darlington, to suspend these sentences, until he received further instructions.

The time now came when our vicar was more personally interested. He had need to “*cursern for his tithes*,” and to call in the aid of his diocesan; who, in his mandate addressed to the parochial chaplains of Gainford, Staindrop, and Barnardcastle,¶ states that, though the vicar of Gainford had shewed in his petition to him, that he had the undoubted right, which his predecessors had enjoyed from time immemorial, of the perception of all hay tithes throughout the whole parish of Gainford; yet, certain ungodly, but unknown persons, had

* Reg. Kellawe Ep. Dun., in Cur. Canc. Dun., fol. 32.

† Appendix No. XXI., p. xvi., e Reg. B. Mariæ Ebor.

‡ Appendix No. XLV., p. xxii., e Reg. Kellawe, in Cur. Canc. Dun.

§ Appendix No. XLVJ., p. xxiii., e Reg. ut supra

|| This was the Parliament held at Carlisle, in the Octaves of St. Hillary, 1306. Vide Rotul. Parl. Vol. I., p. 191.

¶ Appendix No. XLVIJ., p. xxiii., e Reg. ut supra.

not only molested and hindered him in collecting and removing such of the said tithes as arose from Barnardcastle Park and the Forest of Morewoode; but, had even had the audacity to take and sell the same. They were, therefore, forthwith enjoined to monish their parishioners, during the solemnity of the mass in their several churches, to desist from this molestation; and also to proclaim that the actors, as well as abettors, had incurred the pain of the major excommunication, which was then to be pronounced with candle and bell. They were further instructed to make inquiry after the offenders; and to cite them, preemptorily, to appear in the Galilee of Durham abbey, to receive from the official the reward of their deeds. Who the "iniquitatis filij" were, does not subsequently appear; but it is not probable that the detention was made by any but those acting on the part of the baron of Barnardcastle; and that, in consequence of the supposed exemption of those lands from hay-tithes, which had been set up and acted on by John Baliol, in the time of vicar Roundel.

The next incident is one of the most extraordinary of its kind recorded in this register; and regards the punishment of one of those infamous and heinous offenders, for whom it were well if the ancient and salutary discipline of the church were revived. This was John de Alwent; who—having confessed before the bishop that he had committed adultery with Agnes de Raby, and Annabella de Durham; and had also failed to prove that he had not committed the like offence with Christiana Clergis, Annabella de Castle-Barnard, and Emma le Aumbelour—received from the prelate a sentence, which, though somewhat mitigated in consequence of his station in life; yet enjoined that, for each offence he should, clad only in linen, be whipped round his parish church, on six several Sundays and festivals; and also round the market-place at Darlington, on six several Mondays—during that part of the day when it should be the most thronged.

But this exposure was not all: and he, who in the just exercise of his authority, spared not even the great baron of Raby, provided also against that laxity in the execution of his decree, of which the bold satirist of an after day so loudly complained.

*" Though he be gillie of the dede,
And that he maie the money paie,
Al the while his purse wol pblede,
He may use it fro day to day.
The bishopes officers gone gay,
And this game they use obir all,
The pore to pil is al their pray;
But al suche false shul foule befall." **

* The Flowman's Tale.

By his mandate, dated at Stockton on the 6th of August 1313,* he directed Pickering, by virtue of his canonical obedience, and under pain of the major excommunication, to monish publicly the said John to appear, and to see that he did appear on the succeeding Monday, to perform his first penance in the market-place; and on the following Sunday in the church-yard, and so forth, from the one day to the other, until the expiration of the term: and provided that, if he did not submit himself, he should be excommunicated throughout the whole Archdeaconry of Durham, and shunned by his fellows as an excommunicated person, until he should conform and obtain grace and favour. The vicar was also desired to return, about the Feast of St. Cuthbert, an account of what had been done; and whether the culprit had been in anywise disobedient and refractory.

At this time, too, there was a disturbance in the parish respecting the corn tithes of Barnardcastle and Langton, which the convent of St. Mary had been prevented from collecting. The usual remedy was again resorted to; and the bishop, who had removed to Richale, desired the dean of Darlington, on the 23rd of August 1313,† to cause the sentence of excommunication to be published on the lord's days and festivals, in all the churches of his deanery, and in Barnardcastle chapel, until the offenders were brought to justice.

On the 13th of September in the same year, the bishop, who was still at Richale, directed a commission to Pickering,‡ wherein he stated, that, having confidence in his fidelity and integrity to hear and receive the recognizances and acknowledgments of those persons of the diocese of Durham who wished to enter into bond, and make acknowledgments to the abbot and convent of St. Mary, or their proctors, respecting pecuniary matters, he thereby had empowered him to enforce the observance of their several provisions, if necessary, by the pain of the major excommunication.

From some cause that is unexplained, Pickering at length became weary of his important charge, and petitioned his diocesan to allow him to resign the vicarage into his hands; but the bishop, who answered him from Richale, 27th January 1313,§ refused to accede to his request: informing him, that he not only doubted the validity of his reasons, but also knew well that he was sufficiently capable and efficient for his situation. I could imagine, nevertheless, that the vicar did not quietly submit to this decree; for, on the 31st of October next, the bishop wrote|| from Stockton to the dean of Darlington, stating that he had sequestered the corn-tithes belonging to

* Appendix, No. XLVIJ., p. xxiv., e Reg. Kellawe.

† Reg. Kellawe, ut supra, fo. 100.

‡ Appendix, No. XLIX., p. xxv., e Reg. ut supra.

§ Appendix, No. L., p. xxvi., e Reg. ut supra.

|| Appendix, No. LI., p. xxvi., e Reg. ut supra.

the vicar of Gainford in that parish, both as well on the ground as in the barn, and required him to prepare a return of the extent and value of the said tithes; which he was thereby enjoined to take into his custody, and not to allow any person to intermeddle with, under pain of the major excommunication.

Whether he subsequently obtained his request, or awaited patiently the advent of the great liberator of all, is however uncertain, as also is the name of his successor; unless it was

ROBERT DE MORTHAM, of whom it is remembered that he founded a substantial chantry in the chapel of Barnardcastle town; which he endowed with lands in Barnardcastle and Whittington, and augmented the dignity of his vicarage by its subsequent patronage. He obtained a confirmation of this foundation, from bishop Bury, on the 11th of January 1339;* and furthermore, together with the cantarist, fined the next year in twenty shillings, to obtain a confirmation of certain letters from the king.† The dean and chapter of Durham also added their assurance‡ to the bishop's confirmation, on the 4th of March, 1348.

In this chantry, which was founded at the east end of the south aisle of the nave, Mortham was buried, and had a recumbent effigy placed over his grave, representing him in his robes, holding the sacramental cup, and bearing a dull, monkish physiognomy; which, if stern verity has guided the chisel of the sculptor, would induce us to suppose that his personal appearance was anything but prepossessing. An inscription on the margin of the stone conveys no record of the time of his death, but merely the simple supplication:

ORATE PRO ANI'MA ROBERTI DE MORT: QUONDAM
VICARIJ DE GAYNFORD.

We may suppose that the far-famed Mortham near Barnardcastle was the place of his nativity; and, it may be, occasioned the extension of his pious liberality to a foundation, which must have been dearer to him from the associations of his youth, than that more substantial and distant one, which sustained and dignified his age.

ROBERT DE HORTON is said to have succeeded Mortham in 1349, but nothing is extant respecting him except that he died in the enjoyment of his vicarage, and was succeeded by

WILLIAM DE SWAFELD in 1356, who ceded it to

REGINALD DE KIRKBY in 1362. After him probably came

WILLIAM SEMIUS, who is found to have held the benefice in

* Reg. Bury, ad finem Reg. Kellawe, fo. 315.

† Originalia, 14 Edward III., ro. 23.

‡ Regist. Antiq., vol. ii., p. 136.—Hunter's MSS. iii., 49.

February 1401, in the presentation of the burgesses of Barnardcastle of a chaplain for Mortham's chantry. This document, which is in the town-chest at Barnardcastle, is, as far as I know, the only memorial of his existence. He must have died or ceded but a few days after this date; for, before the year had expired,

ROGER DE KYRKBY had succeeded him. He had, perhaps, like some other of his predecessors, been an inmate of St. Mary's abbey; where, after his time, one Roger Kirkby was abbot, from 1436 to 1438; and the person of that name presented to the rectory of Middleton in Teesdale in 1378.

As a man's last moments often afford the best index to his life, so it happens that the last testament* of our vicar, which has fortunately been placed upon record by the Surtees Society, indicates many particulars respecting him, that would not elsewhere have been ascertained. It affords also some information, as to the prices of household furniture and other articles, which are of general interest and value. By this document, which is dated at Gainford, on Monday the Feast of St. Mark the Evangelist, 1412, it appears that in him this ancient office lost nothing of its dignity and importance, as far as it could be sustained by the possession of worldly goods, and the maintenance and ordinance of a respectable establishment; and that he was a man of much greater consideration than many of the similarly beneficed clergy of his day—one, in fact, who lived at ease in his possessions, and had prosperity in all things. There is nothing, however, in it, from whence any inference can be drawn as to the place of his nativity, or the residence or quality of his relations: for whom the smallness of his bequests, and those too of things suitable for a yeoman's establishment, would induce us to suppose that either his regard was small; or that he did not wish to advance them from a station in which he judged it might be happier and better for them to remain. The whole of his property was of a valuable and substantial character—consisting of money, plate, furniture, clothing, cloth, farming-stock, and corn; all of which, according to the inventory, were worth, together with debts to the amount of £10. 10s. owing him, £99. 11s. 3d.—a sum which he must, in a great part, have accumulated before he came to this benefice, and either derived from some private source, or the rectory of Middleton, to which I have presumed he was presented twenty-two years before. Since, indeed, one fifth of his property consisted of live stock and corn, he might have amused his leisure hours advantageously in agricultural pursuits: for it may not be supposed that he held corn-tithes to nearly half that amount, or kept five

* Wills and Inventories, vol. i., p. 54-56, e Regist. Langley, fol. 56b.

horses, and a corresponding number of other animals, for the mere convenience of his parishioners.

His manse appears to have been a respectable structure. The hall, store-room, and kitchen are specifically mentioned in the inventory; and six beds convey the idea, at least, of half as many apartments—the tenants, perhaps, being one of the parochial chaplains, Thomas Gedworth his chamberlain and Alice Kirby who witnessed his will, with another in and an out door servant. The display of furniture will appear somewhat strange to those unacquainted with the simplicity of ancient habits; and the hall may serve as an example. Here then—in what was, doubtless, a groined, gloomy apartment, without hangings, or perhaps plaster, to conceal the masonry of the wall; or carpet to cover the rugged floor; imperfectly lighted by the deeply-recessed and narrow windows; and most inconveniently ventilated by the rude doorway and capacious chimney—were placed two longsettles, which, with one banker or cushion, extending the length of the bench, were of the value of 23s. 4d. Twelve “whysshynes,” or cushions, of the value of as many pence. Two tables, with “tressels” by which they were supported—for these ancient tables were but boards conjoined—worth 12s. Two ewers, with their basins, valued at 1s.; and one “coppeburd” valued at 6s. 8d., though the latter article, which would most resemble a large modern cabinet, was perhaps adorned with the silver cups, which were the chief articles of luxury that he possessed; and which must have contrasted strangely with the rudeness and gloom of everything around. Three of these pieces, with covers, were valued at £7. 6s. 8d.; and two without at 12s.

The rest of his furniture comprised everything that the inartificial habits of the day required. Of his beds, two with red testers were of the value of 20s. Two hung, or covered, with material of blood colour (*de blodio*) of 10s.; one little bed of blood-coloured “wors-tett,” of 6s. 8d.; and one white bed, of 3s. 4d. For these there were prepared fourteen blankets (*lodicum*) of the value of as many shillings; nineteen pair of sheets (*linthiaminum*) of the value of 21s. 8d.: but only two coverlets (*coopercla*) worth 6s.; and one “whylt,” no doubt for state occasions, which, with four “matrese,” were accounted to be worth only 6s. 8d. “*In celario*” there was stowed one napkin, with one towel, which being new, were valued at 3s.—while ten old napkins and three towels there, were worth only 2s. 6d. Two “barels” and four “standes,” of the value of 2s.; and three pair of silver knives (*cultellorum argenti*) of the worth of 6s. 8d.

The array of his kitchen could not resist any very extensive incursion, that his friends might make on his hospitality; or furnish forth one of those outrageous entertainments, that many people

suppose to be the distinctive character of former days. It was graced only with five dishes (*parapsides*), and ten platters (*disci*), together worth 2s.; four "patellæ," or dishes for serving up, perhaps deeper than the rest, valued at 2s. 6d.: though backed by the appliances of an iron spit (*veru ferreum*), worth 8d.; two "dress-yngknyves," or cleavers, worth 7d.; an iron "fryingpan" worth 6d.; and a "rostyngiryn," which each may depicture as he fancies, worth 4d. There were, however, ample preparations for solacing the guests with potent draughts of mighty ale; for there stood, though most injudiciously in the kitchen, four leaden cisterns, worth 8s., which, no doubt were intended for holding the aforesaid; and one of which, larger than the rest, contained thirty-two "lagenas," or gallons. The appraiser was silent, however, both as to the quantity and quality of their contents. The rest of the requisites of the kitchen and board, the crockery and glass, and the other *necessaria innumerabilia* of the modern housewife, were represented substantially, however inconveniently, by seven brass pipkins, which were worth 7s.; two dozen vessels of a metal called electrum, worth 20s.; and one dozen of old vessels worth 6s. 8d. There were, in the house too, eight pounds of wax, worth 4s.; and one pair of "trussyncofers," or packing boxes, of the same value.

His personal apparel appears to have been of the best, if not all of the newest; but a change of raiment was then an era in a man's life, as it is still with some of the unsophisticated yeomen of the north; and what is mentioned in his will might have done him many a long year's service, when he walked forth in gowned solemnity, among his marvelling parishioners, on the wilds of Middleton. Some of them, nevertheless, seem to have been of a fashion and colour that had excited the displeasure of those maligners of the clergy, of whose representatives there is at present no lack; and who then, as now, would have found some occasion for perverse complaint, if their ministers had been attired in a more ordinary manner.

"Of scarlet and grene gaie gounes,
That mote be shapin for the newe,
To clippen and kessin in tounes,
The damoseles that to the daunee sewe,
Cuttid clothes to sewe ther hewe,
With longe pikis on ther shone:
Our Godd's gospell is not true;
Either thei serbe the debill or none." *

But Roger thought otherwise; for his coloured gowns were assigned

* The Plowman's Tale.

as the most fitting bequests to his clerical friends. His wardrobe exhibits a mantle, or upper cloak, of red frieze, worth but 20d. —having, questionless, been bleached by many a tempest; three furred gowns, one being of a blood colour, worth 40s.; three single gowns, worth 13s. 4d.; one “*pylche de Stranlion*” worth 20s.; one “*wyrehatte*,” probably for travelling, worth 5s.; two girdles, silver and gilt, worth five marks; another of silver worth 10s.; three silver *baislards* worth 24s.; and one pair of “*bedes*” of amber, with an *agnus dei*, of the value of 10s, which we may presume he usually wore.

Our vicar had also in reserve for his own domestic use, or the accommodation of his friends, four ells of woollen cloth, of sendry colour—which, with a web of the same material, but of a russet colour, was valued at 26s. 8d.; thirty-eight ells of linen cloth worth 11s. 1d.; and nine ells of linen cloth, “*de lake*,” worth 4s. 6d. The former of these he had, most likely, had manufactured from his own tithe and farm wool; and the line of the other spun by his servants, in the long intervals which their simple domestic duties would allow.

Besides, and above all this, he had in his house at the time of his decease, the sum of £36. 13s. 4d., in money—a treasure which, in those disorderly days, must have occasioned him many a dark suspicion, and many a waking hour.

His farming stock now alone remains to be enumerated. The mention of two grey palfreys, of the extraordinary value of £4., imply that our vicar had some little pride in his outgoings, and may dispose some of my poetical readers to associate him, arrayed in his scarlet mantle, with the monk whom Chaucer depicts:

“*A manly man, to ben an Abbot able,
 Ful many a deinte hors had he in stable;
 And whan he rode, men mighte his bridel here,
 Gingeling in a whistling wind as clere,
 And eke as loude, as doth the chapell belle.*”*

His bridles however were perhaps of a humbler description; for four of them, with four saddles, were but valued at 16s. 8d. Two horses of a more ordinary kind, were said to be worth 26s. 8d.; and a mare, that was either aged or used for the cart, 3s. 4d. The rest of his stock consisted of three cows, worth 20s.; fifteen pigs, and five sucking-pigs, or porkers, 30s.; and a boar worth 6s. 8d. For these cattle there was no hay or corn provided, though something might be allowed from the eight pound’s worth of wheat, barley, oats, and peas, that were stowed, in an unthrashed state, (*nondum*

* Prologue to the Canterbury Tales, C. 102.

trituratīs) in the granary; and no doubt intended chiefly for human food. There was also in store ten quarters of malt, mixed (*brasij mixti*), that was valued at 33s. 4d.

He had but one cart, which would have sufficient employment in gathering in the tithes; but it was a substantial one, being bound or tired with iron (*ligata cum ferro*), and worth, with all the gearing, 16s. 8d. Ten stone of iron is also mentioned among the miscellanies, and if not dilapidated utensils, might be in the shape of ploughshares, or shoes for his horses.

Having now refurnished to the mind's eye an establishment, of which none, that saw or were connected with it, could deem that a remembrance would be preserved, after the lapse of four hundred years, we must now turn to that testamentary document by which our vicar effected its disposition. First, then, after briefly, but reverently, commending his soul to his maker—a practice which degraded nature now seems ashamed to acknowledge—he devoted £15. to find a chaplain to pray for his soul, and those of all faithful persons, during three years after his decease; he receiving each year £5. To the abbot and convent of Egglestone he left £1. To each priest, that should attend his funeral from Barnardcastle, 2s. To every other priest that should be present, 1s.; and to be distributed on the day of his funeral four marcs; but beyond this, whether from inadvertence or indifference, nothing was provided for the poor. To the chapel of Barnardcastle he gave the book called "The Golden Legend"; and a chalice of the value of 40s., or as much money, for the use of the altar of the light of the blessed Mary there. All the rest of his books, except one called "Gemma Ecclesiæ," he directed to be presented to William Kyrkby, son of his deceased brother Adam, but with the proviso that if he did not become a priest, they were to be sold and their proceeds applied for the benefit of the testator's soul, in such a manner as his executors should think fit. Several chaplains, no doubt those connected with this church and parish, naturally came in for tokens of his remembrance—for in their company he must have whiled away pleasantly many hours, that would otherwise have hung heavily on one who had most likely in his former days been accustomed to the society of men of learning and refined conversation; but was then shut up among the uncultivated yeomen and boors of a remote village, or limited, at the best, to the riotous disports of the knights and squires of the surrounding country. The chaplain, Thomas Langton, was remembered with a blood-coloured gown, adorned with fur. Thomas Kirkby, clerk, with a green gown, and 6s. 8d. The chaplain, John Drawlace, jun., with a book called "Gemma Ecclesiæ," one of the silver pieces without a cover, six silver spoons, and one of the

best gowns; and the chaplain Thomas Sowreale, with a sendry-coloured gown, the other uncovered silver piece, and six silver spoons.

After these clerical bequests he allotted to his brother William the moderate legacy of a bay horse and 30s. To Thomas de Kyrkby his cousin (*consanguineo meo*) 6 stone of wool and 2 marcs. To Richard de Kyrkby, his kinsman, (*cognato meo*), his best cow, such a bed as was fitting for his condition, four stone of wool, and 20s. To Elizabeth, his kinswoman, another younger cow (*aliam vaccam juniores*), one basin and ewer, a bed fitting her condition, two stone of wool, and 13s. 4d. To Alice de Kyrkby, the widow of a deceased brother—who being present, and a witness to his will, I imagine resided with him—the appropriate present of twelve of the best silver spoons, of the value of 36s., one of the silver pieces with a cover, one of the best beds, and four marcs in money. Thomas de Gedworth, his chamberlain, was favoured with one of the grey horses that he had no doubt often envied, a cow, a red bed, 20s., all the arrows he had, with certain body armour—wholly or partially mentioned in the inventory as “*armatura*”—worth 26s. 8d., and consisting of one best habergeon (*loricum optimam*), one “*breast plate*,” one “*par de Vawmbrace*,” or protection for the front of the upper part of the arm, and the corresponding “*rerebrace*” for the back part, one pair of “*whysshewes Grenyce*” or cuisses, one basenet, with an aventale or guard for the face, and a pair of plate gauntlets (*cirothecarum de plate*). All these seem strange property for a clerk to possess, and may remind us of the complaint:

“*Buckilars brode and swerdis long,
Baudrike with basclardis kene,
Soche toles about ther necke thei hong:
With Antichrist soche priestis ben.*”*

But it is questionable whether they were for his own use, or that of the men that he might be required to support in the levy of the Bishoprick; for, in the general array of the clergy on St. Giles’s moor, by Durham, on the 24th March 1400,† the vicar of Gainford furnished one lancer, one hobbeler, and three archers; yet, we should, nevertheless, imagine that their equipments were not his personal and disposeable property. The three silver baselards that Kirkby had, must, at all events, have been for his own use.

The rest of his unbequeathed property, which must have been proportionately considerable, he gave to his favourites. John Drawlace,‡ who in this clause is not styled junior as before, and Thomas Sow-

* The Plowman’s Tale.

† Hist. Dun. Scrip., edit. Raine. Appendix, clxxxvi.

‡ John Drawles—no doubt the same man—was curate of St. Helens-Auckland, 1421, and vicar, of Grindon.—*Randall’s MSS.*

rare, chaplains, to be disposed in such a manner as we could presume had been privately and previously defined and understood; but here merely expressed with the vague provision—"ut ipsi ordinent."

Kyrkby died at his manse at Gainford, on Friday before the Feast of St. Andrew the Apostle, 1412; and was buried in the place which he had selected and mentioned in his will, on the south side of the altar in this church; where a brass-plate bearing a singular inscription, prepared perhaps either by Master Drawlace or Sowrale, still perpetuates his memory.

But, "being dead he yet speaketh." For, though twice ten thousand sabbaths have come and gone since this ancient pastor entered into his rest; yet, the voice of the sweet chiming bells that he presented to his parishioners still remain to remind them of their devotions, and to mingle, as his might have done, with their sorrows and their joys.

RICHARD ARNALL, LL.B., was now presented by the convent; but, prior to his admission, the bishop issued his mandate,* dated at Auckland December 7, 1412, to the archdeacon of Durham, directing him to make inquisition respecting the vacancy and *jus patronatus* of the church—a form often used on such occasions. The archdeacon in obedience, summoned a jury of fourteen persons, chiefly clerks, who met in the collegiate church of Darlington on the 12th of the

* Mandatum ad inquirend' super vacatione & jure patronatus ecclesiæ de Gaynsford.
THOMAS permissione diuina Dunelmen' Episcopus dilectis filiis Archidiacono nostro Dunelmen' & ejus officiali salutem gratiam & benedictionem. Præsentarunt nobis religiosi viri Abbas Monasterij B. Mariæ Ebor & eiusdem loci conuentus dilectum sibi Mag'rum Ricardum Arnall in Legibus Bacc' Ebor' dioc' ad perpetuam vicariam ecclesiæ paroch' de Gaynsford nostræ Diocesis, per mortem d'ni Rogeri Kyrkeby ultimi vicarij ejusdem vacantem & ad eorum præsentationem spectantem ut dicunt, nobis humiliter supplicantes quatenus ipsum Magrum Ricardum ad dictam Vicariam admitteremus & ipsum Vicarium instituteremus Canonice in eadem cæteraq' quæ nobis in hac parte incumbunt facere, curaremus; nos igitur de jure Patronatus & vacatione Vicariæ antedictæ, ceterisq' articulis & circumstantijs requisitis in ea parte volentes debite informari, Vobis conjunctim & diuisim tenore præsentium committimus & districte præcipiendo Mandamus quatenus de ipsius Vicariæ Vacatione & quo modo qualiter & quo tempore & si per mortem alicujus, per cujus mortem & quo loco vacavit, ac quis sit verus patronus vel qui sunt veri Patroni ejusdem Vicariæ & in Possessione Præsentandi, seu ultimo præsentavit aut præsentarunt ad eandem: Nec non de meritis præsentati, utrum alibi beneficiatus existat & si sic, in quo loco & ad quem Valorem & utrum cum cura vel sine cura & in super an dicta ecclesia de Gaynsford sit Pensionaria aut Portionaria, & si sic, cui vel quibus, qua auctoritate & in quanto, cæterisq' articulis & circumstantijs in hujusmodi negotio debitæ & consuetis, vocatis in hac parte vocandis auctoritate nostra diligenter inquiratis celerius quo poteritis. Et quid per inquisitionem hujusmodi inueneritis, nos dicto negotio expedito, sine mora certificare curetis literis vestris Patentibus habentibus hujusmodi tenorem. Datum sub sigillo nostro apud manerium nostrum de Aukland decimo septimo die mensis Decemb' Aº D'ni 1412, & nost' Cons' 7º.

Certificatorium ejusdem.

Reverendo in Christo Patri & Domino D'no. Thome Dei gratia Dunelmen' Episcopo suus humilis & deuotus officialis Archidiacono Dunelmen' Obedientiam, reverentiam, & honores. Mandatum vestrum reverendum—ut supra—Cujus auctoritate mandati in Ecclesia Collegiata Derlyngton decimo nono die mensis Decembr' supradicti inquisitionem diligentem per istos subscriptos tunc presentes, viz: Willielmum Hesile Vicarium Ecclesiæ de Derlyngton, Dñm. Ricardum Gardner Rectorem Ecclesiæ de Dittensal, Dños. Johannem Uckarby, Willielmum Smole,

same month, and certified to him the time and place of Kyrkby's de-
 cease; their opinion that the convent of St. Mary were the true
 patrons of the vicarage, and had presented last; that Arnall was a
 circumspect and discreet man, and of good fame and honest conver-
 sation; that he was in holy orders, and rector of the parish church
 of Harleston in the county of Lincoln—a benefice with cure of souls,
 and of the annual value of 50 marcs. They further stated that the
 church of Gainford was not in pension, nor apportioned into moiety; and
 that they knew nothing that militated against the patrons or the
 presentee, except that one William de Heworth occupied the vicar-
 age, though they knew not by what right. All which particulars the
 archdeacon certified, under his official seal, the next day to the bishop.

The more dignified engagements of this vicar at York, no doubt,
 severed him almost entirely from personal connexion with his par-
 ishioners. He was official of the Ecclesiastical court there; * rector
 of the parish of St. Crux; † sub-dean of St. Peter's; ‡ and preben-
 dary of Barnby, § and afterwards of Langtoft, || in that cathedral:
 where the following inscription remained to his memory in Drake's
 time, in the middle aisle of the nave: ¶

*Orate pro anima magistri Ricardi Arnall, quondam subdecani et
 canonici istius ecclesie cath. ac curie Ebor officialis, qui obiit ix die
 mensis Junij, an' Dom. mccccli.*

*Cœli solamen sibi det Christus precor amen,
 Reposita est hec spes mea in sinu
 Auxilium meum a Domino.*

He did not hold this vicarage until his death, but resigned it, in
 1427, to

Willielmum Gseby, Thomam Norman, Thomam de Morton, et Thomam Langton Capellanos,
 Thomam Zole, Adam Cor, Johannem de Blackwell, Thomam Sharpe, Willielmum Werdall, &
 Johannem Zole, Laicos, feci de omnibus & singulis in dicto vestro mandato contentis juxta for-
 mam & effectum ejusdem vocatis in hac parte vocandis diligenter inquisivi. Qui dicunt quod
 dicta Vicaria de Gaynsford vacat per mortem Dni Rogeri Kyrkeby ultimi vicarij ejusdem, qui
 obiit infra Mansum dictæ Vicariæ die Veneris proximè post festum S. Andræ Apostoli ultimo
 præterito. Dicunt etiam quod Abbas Monasterij B. Mariæ Ebor & ejusdem loci conventus
 sunt veri patroni ejusdem vicariæ & in possessione præsentandi & ultimo præsentarunt ad
 eandem. Dicunt etiam quod Presentatus est vir circumspectus, discretus, bonæ famæ, et con-
 versationis honestæ ut credunt, & in Sacris Ordinibus constitutus. Dicunt etiam quod est
 alibi beneficiatus Rector ecclesiæ parochialis de Harleston Lincoln Dioc' & quod est ecclesia
 cum cura & valet annuatim quingenta marcas. Dicunt etiam quod dicta ecclesia de Gaynsford
 non est pensionaria nec portionaria & quod nihil obest præsentantibus nec præsentato nisi
 quod quidam Willielmus de Heworth occupat Vicariam prædictam, tamen quomodo vel quo
 titulo nesciunt. Et sic mandatum vestrum reuerendum in quantum potui sum humiliter
 executus. Quam quidem inquisitionem sub sigillo officij mei Paternitati vestræ revcrendæ
 transmittito sigillatam. Datum Derlyngton, vicesimo die Mensis Decemb', A° D'ni 1412.—

MSS. Hunter in Bibl. Cath. Dun., v. iii., p. 51, e Reg. Langley, p. 60.

* Drake's Eboracum, Book ii., 499. † Ibid Book i., 297. ‡ Ibid Book ii., 499.

§ Le Neve's Fasti. || Ibid.

¶ Drake's Ebor., Book ii., 499.

ANTHONY DE ST. QUINTIN, who, after holding it until the next year, resigned it to

ROGER ESYNGWALD, LL.B., who probably from the same urgent, but unknown cause, ceded it, after a year's tenure, to

RICHARD DRAX, LL.B. who became also dissatisfied in 1437, and exchanged for the rectory of Brancepath * in this county, with

PETER FRYSTON, who had obtained it in 1434. This man also was troubled with a restless spirit, having held the rectory of Middleham,† in Yorkshire from March 2 1426, to September 22 1430; when he resigned it for the adjoining rectory of Wensley,‡ which he left in 1432: between which year and 1449, he held the rectory of St. Crux, in the city of York.§ He, and his predecessors from the time of Arnall, had been, no doubt, inmates of St. Mary's abbey; and, together with Drax and Esyngwald, derived their surnames from the several places in its neighbourhood, from whence they had sprung. It is not ascertained whether he continued in this benefice until his death, nor who succeeded him, though I imagine it was

WILLIAM LAMBERT, master of Staindrop College, who is mentioned as vicar of Gainford 1452, and also on May 1st, 1459, in an inquisition taken subsequently in bishop Ruthall's time.|| He was living, though I do not know in this capacity, in 1477; and was perhaps succeeded by

WILLIAM SEVER. This person, whose name is found written with the numerous and discordant aliases of Senwories, Sonieux, Siveyr, Seveyer, Senose, Sinews, Senews, Sinois or Sever, is said on tradition to have been a native of Shincliffe near the city of Durham; and the son of a poor sieve-maker, from which occupation he took his name.¶ But there seems reason to doubt this statement; if only from the existence of another person of the same name, who flourished in that day, and has generally been confounded with him. This was Henry Sever, D.D., Warden of Merton College, Oxford; and afterwards Provost of Eton,** who died in 1471, and has recorded proof of his gentility in the shield of arms—bearing a *fess nebulee*, between three *roundels*—which decorates his monumental slab.†† Our vicar was educated at Oxford,‡‡ but at what college is uncertain. Afterwards he became a monk of St. Mary's at York;§§

* Hutchinson, Hist. Dur., vol. iii., p. 380, e MSS Randall.

† Dr. Whitaker's Richmondshire, vol. i., p. 340. ‡ Ibid vol. i., p. 377.

§ Drake's Ebor, Book i., 297.

|| Randall's MSS, D., 197.

¶ Godwin, inter Episc. Dun. 666.

** Wood's Ath. Oxon., N.E., vol. ii., col. 695.

†† Glossary of Architecture, Oxon., pl. 15.

‡‡ Wood, ut supra.

§§ Lelandi Collectanea, vol. i., p. 335.

and, without any intervening promotion that I can ascertain, except this vicarage, was elected abbot of that noble house in 1485,* and received the royal assent on the 24th of April in that year.† In 1495 he was advanced to the bishoprick of Carlisle, whereof he had the temporalities delivered the 11th December 1495,‡ and which he was also allowed to hold, in commendam, with his abbacy. From thence he was translated—by papal bull,§ and so by writ of king Henry VII., dated October 15th 1502, anno regni 18—to Durham, of which the temporalities were then restored.|| He enjoyed this exalted dignity but a brief space, as he died in 1505. Ambition had not weakened his affection for the scenes of his former retirement; for he was buried where he had passed the majority of his days, in the abbey of St. Mary at York.¶ It is not known when he vacated this vicarage, but it is said his successor was

WILLIAM THOMPSON, in whose time the abbot and convent of St. Mary appointed Masters William Whithame, LL.B., John Rawlingsonne chaplain, William Thompson Bachelor in decrees—being, I imagine, the vicar himself,—and William Blithman notary public, proctors and agents for their interest in the parish of Gainford, with the dependent chapels; also in an ancient pension arising from the church of Staynton in strata in this diocese, and invested them with very ample authority.** One William Thompson, said

* Drake's Eboracum, Book ii., p. 595.

† Harl. MSS 433, fol. 213b.

‡ Rotul. Pat. II Hen. VII., m. iv., p. 14.

§ Wood, c Hist. Eccl. Dun., int. MS. Laud., in Bibl. Bodl. Oxon., iv., L. 53.

|| Rotul. Pat. 18 Hen. VII., p. 1., m. vi. Rymer's Fœd., vol. xiii., p. 28.

¶ Lelandi Coll., vol. i., p. 335.

** Procuratorium Abbatis Monast' B. Marie Ebor. Ord. S. Benedicti varijs personis ad usus dicti Monasterij.

Pateat universis per præsentis quod nos Edmundus permissione diuina Abbas Monasterij B. Marie Eborum & eiusdem loci conventus Ordinis S. Benedicti Ebor diocesis Parochialem de Ganeforde cum capellis dependentibus ad eadem Dunelm' diocesis una cum pensione quadam de & ex ecclesia de Staynton in Strata ejusdem diocesis Dunelmæ, Nobis et monasterio nostro ab antiquo debita & solui consueta in usus proprios obtinen' omnibus melioribus vijs, modo & forma quibus de iure valemus dilectos nobis in Christo discretos viros Magros Willm Whithame, in Legibus Baccm, Johannem Rawlingsonne Capellanum, Willm Thomsone in Decretis Baccularm, & Willm Blithman Notarium Publicum, nostros veros & legitimos Procuratores, Actores, Negotiorumq' nostrorum Gestores et Nuncios speciales conjunctim et eorum quemlibet per se diuim et in solidum; Ita quod non sit melior Conditio Occupantis, sed quod unus eorum inceperit, Ipsorum, quilibet per se prosequi et mediare valeat, pariter et finire ordinamus facimus et constituimus per Præsentes, dantes et concedentes eisdem procuratoribus nostris conjunctim et eorum cuilibet per se diuim et in solidum, potestatem generalem et mandatum generale speciale Nomine nostro et Monasterij nostri prædicti ac Ecclesiæ et Pensionis prædictæ in omnibus causis et negotiis litibus et querelis motis et mouendis contra quascunq' personas quoties nos abesse contingent, vel adesse quibuscunq' diebus et locis Nos, monasterium nostrum prædict', Ecclesiam et Pensionem, prædictam conjunctim et diuim spectan' seu pertinen' quouis modo coram quibuscunq' iudicibus ordinarijs delegatis vel eorum Commissarijs qualitercunq' jurisdictionum notionem seu potestatem habentibus, ex officio mero seu promotio aut ad partis instantiam qualitercunq' proceden' agend' defendend' reconueniend' litem contestand' ac iuramentum de calumnia et de veritate dicenda ac quolibet aliud genus liciti sacramenti et præsertim obedientiam canonicam cuicunq' in hac

by Hutchinson,* on the authority of Randall, to be Bachelor in *Divinity*, held the rectory of Stanhope, from 1494 to 1499, when he resigned it; but I cannot prove his probable identity with this person. This vicar resigned his benefice in 1531, and had an annuity of £13. during his life, allowed by his successor.

WILLIAM FULTHORPE, who was in possession on the 4th of June in that year.† During his incumbency the abbey of St. Mary was dissolved; but he maintained his position amid all the subsequent changes that occurred, until his death, when

ROBERT BENNET was instituted 18 December 1550, on the presentation of John Heslerton and Thomas Bulmer of York, gentlemen, patrons *pro hac vice*, by virtue of a grant from the late dissolved abbot and convent,‡ who having seen the end of their stewardship approaching, had thus wisely made to themselves "friends of the mammon of unrighteousness." He had been originally a monk in Durham abbey, whereof he was bursar at the dissolution, and appointed, on the re-foundation by Henry the eighth's charter, 12th May 1541, to the prebend of the eleventh stall;§ which, along with this vicarage, he held until his death. It is not known when this occurred, but his will is dated on the 15th of August 1558, and has been published at length by the Surtees Society.|| The preamble affords a glance at his religious creed, and the aspect of the times.

parte debitam in animas nostras præstandum, faciendum, ponendum et articulandum positionibus et articulis respondendum, crimina et defectus abjiciend', ac contra nos objectis et obijciendis respondendum; ac jura nostra et titulos nostros quæ et quos in dicta ecclesia et pensione premiss. obtinemus, Testes litteras et instrumenta ac omnia alia quæcunq' probationum genera nomine nostro producendum, et exhibendum, ac contra nos product' et producend' exhibit' et exhibend' impugnandum. Dampna et expensus et interesse quodlibet beneficiumq' absolutiois a quibuscunq' suspensionis et excommunicationis et interdicti sententijs simpliciter vel ad Cautelam et in integrum restitutionem; Statusq' nostri Monasterij nostri prædicti ac cæterorum præmissorum reformationem petendum et recipiendum in iudices et loca discutiend' vel contentiend' ac eos et ea impugnandum et recusand' nec non in visitationibus Synodis Convocationibus Capitalis generalibus et alijs Congregationibus licitis et honestis quibuscunq' nomine nostro et pro nobis ac cæteris præmissis coniunctim et divisim comparandum interessendum et tractandum ac consentiendum Mandata Canonica audiendum et subeundum provocandumq' et appelland'. Provocationes et appellationes notificand' et intimand' et earum causas prosequend' et appost' petend' et recipiend' alium vel alios, Procuratorem vel Procuratores in præmissis substituend' et substitutos et substituendum hujusmodi revocandum Procuratoris Officium in se et eorum quemlibet reassumend' et illud exercend' et generaliter omnia alia et singula faciend' exercend' et expediend' quæ in præmissis et circa necessaria fuerint quomodolibet vel opportuna etiamsi Mandatum de se magis exigant speciale pro eisdem vero Procuratoribus et eorum quolibet ac substitut' vel substituend' ab eisdem vel eorum quolibet vel aliquo alio. Rem ratam haberi iudiciali et iudicatum solvi sub hypothea et obligatione omnium bonorum nostrorum permittimus et exponimus cautiones. In cujus rei testimonium sigillum nostrum ad Procnrationes præsentibus est appensum.

MSS. Hunter, ut antea, vol. iii., p. 50.

* History of Durham, iii., 353.

† The presentation of a Cantarist for Mortham's chantry, was made by the burgesses of Barnardcastle, to him on this day.—*Randall's MSS.*

‡ Hutchinson's Hist. Dur., vol. iii., p. 267, e. MSS Randall.

§ Ibid, vol. i., p. 271, and 134.

|| Vol. i., p. 172.

"I give," says the ancient monk, "my soull to Almighty God my redemer and sauour, to o^r blessed Ladye St. Marye, and to all the blessed company of heaven, my bodye to be buryed in the Cathedrall church of Durh'm as nighe unto my Mr. prior Castle graue as conveniently may be. And to haue the day of my buryail masse dirige and suffrages due and accustomed." His property is bequeathed in diuers portions, to his brother William Bennet, also a prebendary of Durham; his friends and servants, and certain officers of the cathedral. "To the poore people in barnard-castle and gaynforth, my pi^{sh}oners to be distributed for the helth of my soull ther sex pound's in moneye. Item I giue to my curate att Gaynforth my mellye gown faced with black conney." There are some other curious particulars in the will which, however, need not be reprinted.

THOMAS SEGESWICK, DD. succeeded Bennet, being the first vicar presented by Trinity College; and, as far as the propagation of the Protestant doctrine was concerned, one more unfit could not have been selected at this critical period. He had previously been the king's professor of divinity at Cambridge;* and appointed, with others of that University, to dispute with Cranmer, Ridley, and Latimer, April 10, 1554. Anthony Wood† says, "Sedgwick, with the rest, arrived at Oxford, 13 April 1554, and taking up their quarters at the Cross-inn near to Quatervois, were next day incorporated DD." On the 12th of March 1555, he was admitted, on the presentation of the Society of Trinity College, to the vicarage of Enfield in Middlesex,‡ which he resigned on the 11th of November, 1556. He was next presented to the valuable rectory of Stanhope in this county,§ but was deprived of it, and this vicarage, in the succeeding year. His successor here was

RICHARD FORSTER, who was deprived of the benefice for holding it together with the rectory of Chedle, in the diocese of Lichfield, without a dispensation, and contrary to the act of Henry VIII. || The will of one Richard Forster, a priest, dated on the 6th of September, 1575, the year of his death, has been published by the Surtees Society.¶ He seems to have resided in Durham city, but was, probably not the same person as our vicar.

WILLIAM STEVENSON, B.D. was his successor, and was instituted 25th April, 1562.** It argues something for his ministerial ability, that he was patronized by the discriminating Queen, Elizabeth; who

* Strype's *Life of Cranmer*, Clar. Edit., vol. ii., 941.

† *Fasti Oxon.*, N.E., vol. i., p. 146.

‡ Kennet's note in *Fasti*, ut supra, e Reg. Bonner.

§ Hutchinson's *Hist. Dur.*, e MSS Randall, vol. iii., p. 353.

|| Dr. Hunter's MSS.

¶ *Wills and Inventories*, vol. i., p. 407.

** Hunter's MSS.

appointed him prebendary of the ninth stall in Durham cathedral, wherein he was installed 28 January 1560.* She also placed him as preacher at Berwick; and the more effectually to fulfil his duties dispensed with his residence at Durham, and allowed him the full profit of his prebend.† He was appointed official to the dean and chapter, for Northumberland, May 24 1561;‡ and was also vicar of Hartburn in that county.

Brighter and serener days were now cheering the course of the fathers and pastors of the English church; and to this man, doubtless, fell the arduous, but blessed task, of scattering and tending those seeds of primitive and apostolic truth, over a wide district that had long laid uncultured and waste. How many difficulties and privations he, like many more of his forgotten brethren, encountered in their endeavours, can be known only to Him who will at last reward them; but, from the feeling manifested by his parishioners in the Rebellion of 1569, there were, doubtless, few places where the ancient faith lingered so tenaciously in the hearts and affections of the people.

Stevenson died in 1575, and was buried before the choir door in Durham cathedral,§ under the stone which good bishop Sparke, the suffragan of Berwick, had intended and desired should cover his remains.||

HENRY NAUNTON, A. M., was next instituted 27 October 1575.¶ I do not find that he had held any prior preferment, but his merits were not long unnoticed; for he was collated to the prebend of the fourth stall in Durham cathedral, on the 1st,** and installed on the 3rd of November, 1579.†† On the 14th of April 1581, he was presented to the vicarage of Bedlington,‡‡ in Northumberland, when, I apprehend, he resigned that of Gainford. In 1588 he became rector of Eggescliffe,§§ in the county of Durham; and was married at Pitlington, 2nd September 1594, to “Agnes lait the wife of Robert Murray the Vicker of Pitlington.”||| He died at some uncertain

* Randall's MSS., K. 37.

† Wharton's *Anglia Sacra*, vol. i., p. 784, e Reg. Horn 132, et Reg. Skynner 144.

‡ Hutchinson, vol. ii., p. 260.

§ Randall's MSS., B. 50.

|| Raine's *North Durham*, p. p. 128-129.

¶ Instituc'o Vicarie de Gainford.

Jacobus &c. Henrico Naunton, A.M. s. g., et b. Ad Vic' p'pet' Eccl'ie p'och' de Gainford &c. p'm' n'ral Willi' Stevinson ulti' Vic' vac. ad qua' p. m'm Joh'em Whitgift S.T.B., Mag'r'm Collegij S. et Individue Trin. Cantabrigie et ejusd' Coll. Socios veros ejusd' v p'ronos nob' l'time p'natus existis, Te &c. admittimus Teque Vic' ejusd' &c. Dat' sub sig. n'ro &c. xxvii-mo die Octob'r A° D'ni 1575, et n're Cons. a° xvto.—MSS. Randall, C. 146, e Reg. *Pilking-ton*, p. 72.

** Hutchinson's *History of Durham*, vol. iii., p. 168.

†† MSS Randall, B. 136.

‡‡ Ibid, K. 37.

§§ Hutchinson's *Durham*, vol. iii., p. 168, e MSS. Randall.

||| *Chronicon Mirabile*, p. 82.

period in or after 1606,* and was buried in Durham cathedral under the organ loft, on the north side of the choir door, near chancellor Swyft.†

CHARLES FERRAND, who is not named in Randall's list, probably succeeded on Naunton's collation to Bedlington. He was vicar in 1582, 24th Eliz., as appears from Gainford parish register; and in 1589, from that of Denton.

JOHN CRADOCK, M.A., but afterwards D.D., is said by Randall to have succeeded in 1594, though erroneously, "*per res. Naunton.*" He was the youngest son of John Cradock, of New Houses in Baldersdale, a few miles higher up the Tees; and received this his first preferment, from Trinity College, where he most likely had been educated. Here he soon built a mansion, acquired landed property, and apparently resolved, in the words of the Psalmist:—"Here shall be my rest for ever; here will I dwell, for I have a delight therein." It would have been happy for him had he done thus; but, after remaining here a quarter of a century, he was, in the year 1619, through his ability or his interest, appointed Archdeacon of Northumberland;‡ which office, however, he resigned on the 6th of August in the same year, on being appointed the bishop's Spiritual Chancellor and Vicar General that day.§ Next day also he was collated to the prebend of the fifth stall in his cathedral, and was installed therein on the 18th of the same month.|| In the judicial office it seems, however, that his acts were not guided by that strict purity and discretion in which his sacred character, at least, should have restrained him; for, on the 3rd of May 1624, Sir H. Anderson, of Haswell, in the county of Durham, then member for Newcastle, presented a petition to the House of Commons, touching his extortion in its discharge, which was seconded by Sir Robert Phillipps, and referred to the Committee for Courts of Justice.¶ On Saturday, 22 May,** Mr. Lenthall reported from the Committee: That Cradock being a High Commissioner for Durham, a Justice of Peace, and a Chancellor, was found to be a great offender in all these—confounding their several jurisdictions, and making one to help the other. That on the sequestration of one Allen's goods, worth £1000, it was granted to two strangers, who ransacked the house, and seized upon divers bags, during the funeral sermon. On the will being found, and one Hawden executor, probate was refused, and a second sequestration granted; when Cradock, in his capacity of Justice of Peace, broke open the house, and after ran-

* Hutchinson's History of Durham, vol. iii., p. 168.

+ Ibid, ii., 236.

‡ Randall's MSS.

§ Randall's MSS., B. 102.

|| Hutchinson's History of Durham, vol. ii., p. 329.

¶ Journals of the House of Commons, vol. i., p. 697.

** Ibid, vol. i., p. 709.

sacking it, offered an oath, *ex officio*, to the executor, and upon that asked him what he had done with the bags of money. New sequestrators were then appointed—the Chancellor's man being summoner. These eat up all the provisions in the house, took Hawden and sent him to goal, whence he could not be released until twenty pieces were given, and a fine paid, of £50, to the bishop of Durham. All which was done out of any session, at the cost of £6. in fees, and no act of sequestration made. It was complained, too, that he had done thus in Rand's case; that bribes were taken by him as a justice of peace; "a forged excommunication, as Mr. Richardson offereth to swear;" and other offences of a similar nature. The Committee gave it as their opinion that this man deserved greater punishment than Lambe, who was another offender of the same class; but what decision the house came to on the subject has not been ascertained.

His Chapter at least, must have considered his conduct admitted of considerable excuse or palliation, for they presented him to the vicarage of Northallerton on the 23rd of January, in the same year; but he did not long enjoy it, for he died at Woodhorn in Northumberland, of which place he was also vicar, on the 28th of December 1627, by means of poison, which, it was suspected, his wife Margaret administered to him. On being brought to trial, however, she was acquitted of the charge. She was the daughter of Mr. William Bateman of Wensleydale,* and widow of one Robinson; and, by Dr. Cradock was mother of eight children—the memorials of whose baptisms will be partially found among the extracts from the register; and their marriages and issue in the pedigree inserted by Mr. Surtees, in the fourth volume of his History of the County.

There is preserved among Dr. Hunter's MSS., in the cathedral library at Durham, the copy of a libel, declaratory of the rights of the vicar of Gainford, which, from its mention of a reigning queen, I imagine has been drawn up in or about this vicar's time; and that the more, since he was compelled, more than once to resort to legal proofs for the recovery of important vicarial rights. I subjoin it in its original form, which will be sufficiently intelligible to all who may be interested in it. †

* Dugdale's Visitation of Yorkshire, 1666. p. 168.

† Libellus exhibens Jura Vicariorum Ecclesiæ de Gainsfurthe.

I.—Imprimis ponit & articulatur quod infra Archidiaconatum Dunelm' ad Teesum fluvium est quadam Ecclesia Parochialis vulgo vocata the Parishe Church of Gainsfurth, suis proprijs Limitibus & Finibus distincta & circumscripta, non solum ab eo tempore quo eadem Ecclesia erat in proprijs usus Monachorum Eborum conversa & in perpetuum Vicariam ordinata sed etiam longe ante & per tempus cujus initij seu contrarij Memoria hominum non exstitit: Sicq' fuit et est, talis habitæ, tenta, nominata & reputata Ecclesia Parochialis seu Vicaria perpetua prout hodie reputatur, palam, publice & notorie, non solum infra dictum Archidiaconatum & Diocesim Dunelm' sed etiam in Scaccario & Monumentis Domæ Reginæ, alijs locis.

The vicar's body was interred in the cathedral of Durham on the 30th of December, 1627.*

JOHN LIVELY, BD., was presented in 1628 on Cradock's decease. He was a man of great learning, and probably brother to Edward Lively, constable of Durham Castle, to bishop Neile; but was ousted from this benefice in 1643, though he retained his vicarage of Kelloe, in this county, and died rich in 1650-1. In his will, † dated March 3rd, in this year, he gives £3. to the poor of Barnard-castle; 20s. to Whorlton; and 40s. to Gainford lower parish. To his daughter Elizabeth, wife of Mr. George Dale, his "best gold ring, with a death's head in it, and 17 yards of white cloth for curtains of a bedd." To her husband, "West's Presidents," and "Verstegan's Restitution of decayed Intelligence." To his daughter,

IJ.—Item, ponit & articulatur, quod per tempus prædictum eadem Ecclesia seu Vicaria infra dictos Limites & fines suos habet quasdam capellas vocatas, The Chappell of Bernard Castle, ye Chapell of Denton, and ye Chapell of Whorlton, notorie sitas, quarum quidem Capellarum Cura & Sollicitudo pertinet & pertinuit ad Vicarium modernum dictæ Ecclesiæ Parochialis de Gainforde pro tempore existentis.

IIJ.—Item, ponit & articulatur, quod Vicarius de Gainforde Jure Ecclesiæ suæ Parochialis per dictum tempus habuit, prout etiam hodie habet, Institutionem & Destitutionem Capellani seu Curati in dictis omnibus Capellis pro libite suo, eisdemq' prospicere debet & tenetur de Jure prædicto: Habet etiam Decimas & Jura quæq' Parochialia, saltem quæ ad Portionem Vicarij ibidem pertinet de habitatoribus cujuscunq' generis infra Capellanas prædictas commorantibus, quas percipit seu saltem percipere debet prout etiam per tempus cujus contrarij non est Hominum memoria per se aut suum Deputatum percipit & disposuit; ac etiam ratione earundem decimarum Perceptionis ibidem D'næ Reginæ de primis Fructibus, Decimis & Subsidijs, D'no Episcopo & Archidiacono Dunelm' de Procuratoribus & Sinodalibus in Synodis, Visitationibus, & Cleri Convocationibus, respondet solvit & facit.

IV.—Item, ponit & articulatur, quod quemadmodum Firmarius Decimarum Garbarum Parochiæ de Gaynford habet decimas crescen' infra villam de Denton, Howgton & in alijs hamletis Capellaniæ prædictæ ita etiam Vicarius pro tempore existens per se aut suos in hac parte Deputatum seu Deputatos infra prædicta loca & Hamletas Decimas cujuscunq' generis jure Vicariæ debitas, videl't: Fœni, Lini, Cannabis, Lanæ, Vellerum, Vitulorum, Pullorum, Pyrorum, Pomorum, Cerasorum, Ceporum, Porrorum, Columbarum, Gallinarum, Aucarum, Anatium, Porcellorum, Mortuarius, etiam de Purificationibus Mulierum crescen', Candelarum Nuptialium... Quadragesimalium per prædictum tempus percipit seu percipere debet, prout per Probationes legitimas tam monumentorum transcriptor' quam Testium in hac parte producendorum pro loco & tempore congruis feudas ostenditur & comprobabitur.

V.—Item, ponit & articulatur, quod etiam de facto Vicarij de Gainford Capellanos, seu Curatos in Bernard Castel, Denton, & Whorlton instituerunt & pro libito removerunt, de receptis & solutis Decimis & Juribus Parochialibus Vicarie prædictæ ibidem Computo peracto finaliter liberauerunt, Feoda ibidem Ministrantibus soluerunt idq' sibi de jure licere in judicio contradictorio obtinuerunt, Firms Domorum cum viginti quatuor Acris terre pertinen' Vicario in Denton nec non Mortuaria & pro Sepulturis videl't iij. s. iij. d. pro Sepultura voc' Threlkith in Choro de Denton, aliaq' Jura parochialia de tempore in tempus recipiunt ac recipere debere Libri diversorum Capellanorum seu Curatorum de Denton computantium particulariter commonstrabant videl't: Compotus Johannis Apleby Capellani de Denton factus Vicario de Gainford in Anno 1495, 1496, 1497, (sic) 1488, & Thomæ Bindon 1489, 1490, 1491, 1494, 1495, 1496, 1497.

VJ.—Item, ponit & articulatur, quod dictæ Capellæ de Bernard castle & Whorlton & præsertim Capella de Denton non est, neq' habita unquam est Parochia aliqua seperata per se de jure aut de Consuetudine fundata, sed pars, parcella, seu dependens dictæ Ecclesiæ Parochialis de Gainfurde & Præmissa sunt vera publica.

MSS Hunter, ut antea, vol. i., p. 157.

* Randall's MSS., K. 9.

† Surtees, Hist. Dur., vol. i., pp. 67, 75.

Mary, wife of William Busby of Cassop, who was afterwards his executrix, "My silver seale of Arms, my gimald ringe, and black gold ringe." To his grandchild, John Busby, "my birding piece." To his grandchild, Elizabeth Busby, "my newe virginalls." He mentions, also his daughter Susanna, wife of Woodhouse; and Sarah, wife of Anthony Richardson. The fifth daughter, perhaps married one Hutchinson, for a grandchild, Elizabeth Hutchinson, is mentioned; and Mercy Lively, who died 30th January 1638, and has an epitaph in Kelloe church, was probably the sixth—thus partly corroborating the old saying:

"Here lies John Liveley, Vicar of Kelloe,
He had seven daughters and never a fellow." *

The provision of £30., to be expended on his burial—a large sum in that day, and more than sufficient in a village—indicates something of the character of the man; but funerals in the country were then, as they often are still, more like what Burton would have called great unruly feasts, than occasions for solemnity and meditation.†

He left behind him a useful memorial of his incumbency at Gainford, in the survey or account of the rights of the vicar of Gainford, now deposited, I believe, in the church chest; a portion of which will be subsequently noticed.

HENRY GRESWOLD, A.M. was instituted in 1643, on the ejection of Liveley, whose name had not occurred to the industrious Walker, in the formation of his mournful calendar of suffering clergy.‡ He seems to have been supplanted in 1655, by

GEORGE SANDERSON, of whom I know nothing. It is not improbable that he sprung from Forcett, on the Yorkshire side of the river; where one "Mr. George Sanderson," who held some of the poor's money of Gainford, resided 15th April 1664; but, indeed, he might be the identical person who had retired thither on his expulsion from the benefice.§

HENRY GRESWOLD is said by Surtees to have regained the vicar-

* Bishoprick Garland.

† Philip Hagthorpe of Nettleworth, co. Dur., in his will dated in 1611, charges his son Philip, "as he will answer me before God that whereas y^t ys a fashon and a greit vanity to bestow a greit dinner and other charges vainly on men when they are gon my will ys that ther shall be no such thing."—*Surtees*, ii., 204.

‡ Walker's *Sufferings of the Clergy*, 251.

§ The subjoined entries in the parish register seem to refer to this minister's children:

1642—Anne the daughter of Mr. George Sanderson bapt. the 13th November.

1650—Marie daughter of Mr. George Sanderson bap. the fifth October.

1652—Ambrose, son of Mr. George Sanderson, bap. the 2 of March.

1655—Grace daught. of George Sanderson was bapt. the 26th of April.

The following may not be inapplicable:

George Sanderson & Margaret Hutchinson of St. Helens Auckland married 16 Dec. 1655.

age in 1661,* but to have been ejected, under the Bartholomew Act, in 1662; in which latter statement he is joined by Hutchinson.† Though the history of these several mournful changes is confused, and that of the personal conduct of Greswold doubtful, it seems there is some error in these dates; since the parish register mentions Fotherby as vicar, on the baptism of his son Edmund, 10th *March*, 1661; and on his monument it is stated that he held the vicarage forty-one years, which fixes the date of his presentation in 1659,‡ and agrees with his institution dated 29 Dec. 1660. Greswold, indeed, might have succeeded Sanderson previously to the Restoration; or, continued his claim to the benefice until the passing of the Bartholomew Act; but I have seen no authentic evidence of either circumstance. He held the Precentorship of Litchfield cathedral in 1661;§ and must have conformed before 1681, when he was chosen sub-dean of the Collegiate church of Ripon;|| to which foundation he gave certain lands for the better maintenance of the organist and vicars choral; and where his arms—*Argent, a fess gules*, between three greyhounds, *current, sable*, with the inscription, “Henricus Greswold prebendarivs”—lately remained in a window of the north transept. He was second son, and after his brother Humphrey’s death, heir of Humphrey Greswold of Greet in Worcestershire (by Elizabeth his wife, daughter and co-heir of Fulke Burne, of Purshill Green, in Warwickshire,) and married Anne, daughter of the Rev. Samuel Marshall, of Wedonbeck, Co. Northampton, by whom he had issue; whose alliances and descendants will be found in the Greswold pedigree, inserted among Burke’s Commoners, ii, 673. He died about 1700, and was buried at Solihul, near Birmingham, where he was rector.

Whatever might be the nature or tendency of this man’s ministration here, he left behind him a memorial of his humanity, which has lacked that permanent extension it deserved, at the hands of such of his successors, to whom more had been given, and of whom more was required. Long after he had left the village, he annually gave six pounds to the school master, for the education of the poor children of the parish; and in 1691, gave the sum of one hundred pounds, to be invested “in the purchase of lands, or an annuity, the yearly profits whereof were to be employed for the purpose aforesaid for ever;” and which fortunately still benefit those for whose use they were intended.

EDMUND FOTHERBY, M.A. was instituted on the 29th of December

* History of Durham, iv., 12.

† History of Durham, iii., 267.

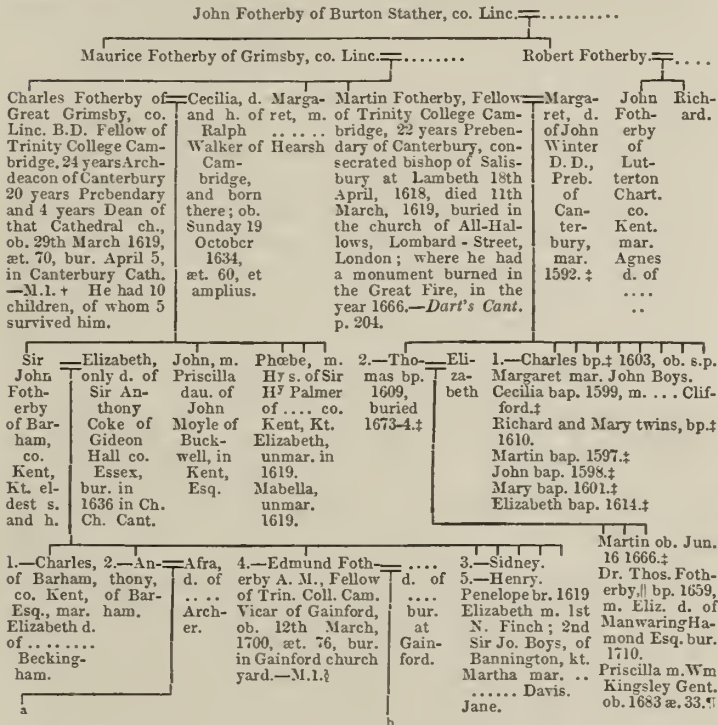
‡ Vide p. 42 antea.

§ Le Neve’s Fasti Ang., 129.

|| Regist. Decan. et Capit., Ripon.

1660, on the presentation of Henry Ferne, DD. master, and the Fellows of Trinity College, the lawful patrons.* As he was descended of a race that were honoured in their generation, and has produced two eminent dignitaries of the church, it may not be amiss to record even these imperfect particulars of his ancestors and descendants.

Arms.—(Granted 28 Feb. 1605). Gules, a cross composed of nine lozenges, at each end a fleur-de-lis, or. *Crest.*—A falcon with wings expanded proper, beaked or, holding in the mouth an acorn of the last, leaved vert.



* Vices'io nono d. Dec : an'o p'd'e'o (1660) institutus fuit Edmu'd Fotherby Cl' in artib' Mr in vic' p'p'am Eccl' p'och' de Gainsford in Co. & Diocesi Dun' ex presentac'o'e Henrici fferne S.T.P. Mag'r et Socior Collegij s'c'æ et Individuæ Trinitat, infra Univ'sitatem Cantabrigien-sem ejusd' V pleno jure P'ronorum in presentia Edwardi Arden Notij Publici.—*Randall's MSS.* C. 146, e Reg. Neile.

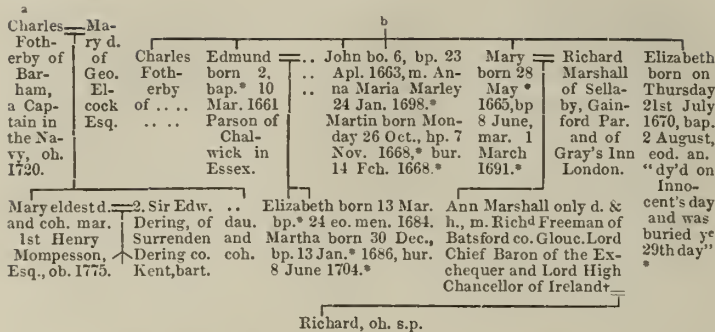
† There is a folio plate of his monument, in *Dart's History of the Cathedral Church of Canterbury*, p. 54. It is of the altar shape, and bears the inscription on one side, surrounded with a groupe of skulls and bones—a sad satire on the heraldic display that has been mingled, perhaps unheedingly, with them.

‡ I am indebted to the kindness of Sir T. C. Banks, Bart., for the account of Bishop Fotherby's descendants, and the dates from the Register of Christ's Church.

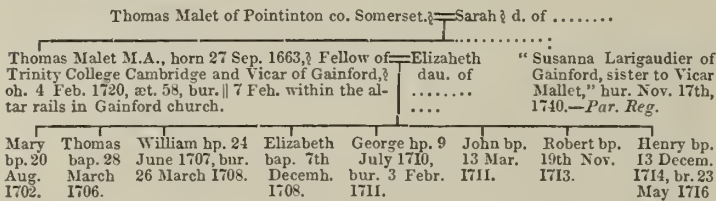
§ Gainford Parish Register.

|| He has a monument in the south-west corner of the north cross in Canterbury cathedral, which recounts his services.—*Vide Dart*, 61.

¶ Vide a plate of her monument in *Dart's Canterbury*, 61.



THOMAS MALET, A.M., was presented on Fotherby's decease. He was educated at Westminster School; and, on leaving it, was probably engaged in tuition; for he only took his degree of B.A. in 1694,† when thirty-two years of age. His successors are indebted to him for the re-edification of the vicarage house. The Parish Register, and his sepulchral memorial present all the additional information I have gathered respecting him; which may be thus most conveniently embodied:



JAMES MALLED, B.D., succeeded in 1721. He was a Frenchman, ¶ but of Trinity College, Cambridge: A.B., 1699, A.M., 1703, and B.D., 1710.** His burial is recorded in the register, by A. Rawling, Curate, 12th March, 1746.

WILLIAM MORGAN, D.D., whom Surtees erroneously calls "John," was instituted in 1747. †† He was also of Trinity College: A.B.

* Gainford Parish Register. The following also occur there: "1704, June 8, Martha d. of Mrs. Elizabeth Fotherby bur. 1713, Sep. 28, Elizabeth Fotherby, widow, Gainford, hur." I am not certain whether this Elizabeth was widow of the elder or younger Edmund, though probably of the former.

† He was a distinguished Lawyer and legal writer. Of him, and Batsford, vide Fosbroke's Gloucester, ii., 320; Gentleman's Magazine, 1742; and Atkyns's Gloucester, 132.

‡ Graduati Cantab., 253.

§ Monumental inscription, vide p. 39 antea.

¶ This, and the names, and dates of the baptisms and burials of his children, are taken from the parish register.

¶ "Gallus perfidus & profligatus." He turned Wm. Brochell out of the Curacy of Whorlton, and, as that gentleman complains, put in one Grey, a vagabond Scot.—*Par. Reg.*, Surtees vol. iv., p. 44.

** Grad. Cant., 253.

†† Ibid. 271. He is there called William.

1718, A.M. 1722, B.D. 1730, and D.D. 1750. When he came here he was perhaps advanced in years, and did not enjoy the benefice long, for he died in 1754; and, according to the register, where he is entered as "Doctor Morgan," was buried on the 10th of February in that year.

TOBIAS HEYRICK, B.D., was now presented, and it is refreshing, after a long and uninteresting succession of names and dates, to come to one whose "*vera effigies*" remains delineated in lasting colours, by one who had enjoyed his society, and appreciated his character. In that invaluable treasury of anecdote, accumulated by the late Mr. Nichols, is a brief memoir of vicar Toby, communicated by Mr. George Allan of Darlington—of which we will now transfer an outline to this page, for the amusement of the children of those who knew and respected him.

He was the sixth and youngest son of the Rev. Samuel Heyrick, M. A., Rector of Lodington, in Northamptonshire;* was born in 1710; B. A. of Trinity College Cambridge, 1730; M. A. 1736; B. D. 1740; and, for some years, was one of the two curates of Church Langton, in Leicestershire, and vicar of Over, in Cambridgeshire. He was a senior Fellow of his College, where he was greatly esteemed; and where many pleasant anecdotes, both of him and his elder brother Nathaniel, are still recollected. "I was accustomed," continued Mr. Allan, "to visit him, with my father, at Gainford, when very young; and he struck me, at that time, as a most extraordinary character, if I may be permitted to use the expression, he was a remarkable epicure (*deditus ventri*), though a man of wit and otherwise good-manners. I have seen a copy of a note of his, declining to partake of a haunch of venison, apologising, as a reason, he understood that *four* were invited; and, as Mr. ——— was one of them, he was sure there would not be *more than fat for two*! I was once sent with a servant, to carry him a present of smelts, or sparring, as they are called here, being the first that had been caught in the river Tees that season. He had dined before I arrived; but received me with attention, and produced plenty of sweetmeats and dried fruits for my entertainment.

"As I was amusing myself, he opened a door that led from his parlour to the kitchen, and cried out 'Ellen fry a dozen!' In about five minutes afterwards he opened the door again, and said 'Ellen make the dozen a score!' He gave me half-a-crown, and filled my pockets with good things. When I got home, I related what had passed, and it afforded entertainment to a party my father had to

* "Of whom, and of his ancestors and descendants, and more particularly of his brother Nathaniel, see a full account in the History of Leicestershire, vol. ii., 618." —*Edit. Lit. Anec.* vol. viii., p. 328.

sup with him ; at which I was permitted to be present, although I was not conscious how I had been the cause of their merriment. My father, however, very often afterwards reminded me of my report of my visit to Mr. Heyrick, with the sparlings. When I went first to Cambridge, copies of his familiar letters were shewn as specimens of style, recommended for imitation. Some of them are relative to a *faux pas* of a female domestic;* and others to Bridges's History of Northamptonshire."

Another gastronomic anecdote, told in the village, saith :

Mr. John Eden, of Gainford, one day invited Heyrick to dine with

* "Sir,

Gainford, July 31, 1768.

I presume, Mr. Wood has informed you that my servant has brought a fellow into my house, without my knowledge and consent ; and, after stuffing and cramming his gigantic carcase, shewed him the way to her hed-chamber, after twelve o'clock at night, and rioted therein till morning, to my great detriment—and this for months together. Now, Sir, I would be advised by you, whether a writ for a trespass, or a smart and threatening letter from you previous to it, might not pull down his proud and saucy stomach, that has been pampered at the expense of my pantry and cellar. *He is six foot and a span high.* I hope you and I can tye him down to better behaviour in future, and keep his paunch out of my pantry and cellar. The dog confessed he had ate and drank to the value of *two shillings* ; but if you were to see his size and capacity, you could not lay him at less than the *Dragon of Wantley*, famous for his insatiable and devouring maw. I think the rascal should make some satisfaction, *in terrorem*, which I would willingly give to the poor of the parish. I leave it to you, and desire you will frighten and scare him out of his roguish tricks.

T. Heyrick."

"Sir,

Gainford, August 2nd, 1768.

I have sent you *Goliath of Gath*, in the form of a culprit and an humble suppliant, and desire you will set forth his entering my house in the dead of the night in as strong colours as you can ; and the consequences that might have ensued, in case you had followed the rigour of the Law. After that, make him pay you handsomely for the trouble he has given you ; and make him sign a paper acknowledging his offence, and promising to be guilty no more of the like trespasses. I leave the form and manner of it to you ; but would have you shake him in his great shoes, lest he should turn saucy upon his getting off so easily.

T. Heyrick."

Mr. Raine has, also, a large bundle of Heyrick's letters to Mr. Wood, a Proctor in the Consistory court of Durham on the subject of a tithe suit. The following letter is a fair specimen. "Hart lived in Gainford, and was famous for his apple trees. 'Tom Hart's bitter sweet' is an apple well known in the neighbourhood, even at the present time. Tohy talks of the King of Prussia, and Lord Butc, and Magna Charta, and is very facetious."

"Sir,

Gainford, July 9, 1767.

The mighty Thos. Hart's proud spirit is at last come down, and he has apply'd to me yesterday as a humble suppliant, and is willing to pay all charges wch his folly and obstinacy have brought upon him. I have sent to Mr. Hall of Bd. Castle to forhear proceeding any further agt him till I give him orders. This silly Rogue has footed it *from* (so) London and hack again in ten days ; where, finding neither ease for the crown of his head, or y^e sole of his foot, is come down an emaciated skeleton. You'l send me y^r demands upon him, and I think if I let him down for 5 shillings a year, for y^e time past and y^e same for y^e time to come, I shall deal with him better than he deserves. Perhaps I may mitigate a little if he mends his manners. This fellow has been acquainted with writs often, &c. ; but was never so near a gaol before, which has frightened him into his senses, and he is now as humble as he was before saucy. I wrote to you lately, which y^e Darlington postmaster tells me must come safe to hand, for he put it into y^e bag himself. Those Rascals y^e posthoys often receive y^e postage and destroy y^e letters, and put the postage in their own pockets.

I am y^r humble Serv^t.,

T. Heyrick."

"To Mr. Wood, Proctor in y^e Court

p. p^d. 1d

of Durham.

These."

him; but, previous to the appointed time, requested him to call at his house, when he afforded him a preliminary gratification by the exhibition of a fine haunch of venison, that was acquiring a proper gusto in the larder. Toby paced round and round the joint, rejoicing in prospective, at its forthcoming demolition; while Mr. Eden was discussing who should be invited, and hinted that Wood, the curate of Darlington, might be one. "Wood! No, no," said Toby, "Wood! No. He'll eat it all. We must not have *him*."

Wood accordingly was not invited; but, shortly after, he heard of the circumstance, and had not long to wait before he had an opportunity of paying Master Toby in his own coin. One Monday morning he espied him in Darlington market, purchasing a pair of soles; which he eyed with uncommon delight, and carefully deposited in the pocket of his upper coat. Wood being assured that, according to his usual custom, he would call at his house before he left the town, patiently waited his advent, for the consummation of his joke. On his arrival, he lavished every species of attention on him, and invited him to dinner. Toby, in the contemplation of the delicacy in his pocket, declined. Wood became still more urgent, and induced compliance at last, by the announcement that a remarkable fine pair of soles was to form part of the entertainment. So he stayed, and was delighted; and, at length, departed in peace to his vicarage at Gainford.

He had not long been ensconced in his parlour, before he cried out, "Lucy take those soles out of my coat pocket." Lucy forthwith duly searched the coat, but to no purpose, and reported the same. "Child you're mistaken," cried he; "go again." A "*non inventus*" was again returned to the inquisition; and his own personal investigation confirming the dread certainty that they had vanished, he very justly exclaimed: "Oh, that Wood, that Wood, he *has done me!*"

His sister, Mrs. Elizabeth Heyrick, resided with him.* "He delighted in teasing her before company; and, when she came into the room, in which her morning callers were waiting for her, dressed out in silks and satins, he soon afterwards followed, and then began the fun; which ended in his sister's leaving the room in high displeasure: and then old Toby would, in half joke and half earnest, shout out, 'There she goes—a Duchess! a Duchess!'"

But though

"To liben in delit was eber his wone,
For he was Epicures owen sone,
That held opynion, that plein delit
Was veraily felicite parfit."

* See her burial, p. 60, ante.

let it not be supposed that he was alone the "the brilliant diner out," whose

" Jokes were sermons, and his sermons jokes ;"

or a mere heartless man of pleasure and wit. It is pleasant to hear his learning and benevolence still joyfully remembered and acknowledged by those few who remember him ; and to class him with that good old race of pastors, whose memory still lingers, as it will long linger, in the affections of their parishioners. Men who were content implicitly to follow that ritual which wiser men had prescribed ; and for which they knew that nothing better could be substituted ; and to preach rather by the force of daily example, in their parish, than the weekly display of oratory in their pulpit : and were ready at all times, and at all seasons, to excite or exercise those due and reciprocal relations with their flock ; which, like all other ties and usages connected with our future advantage, the insubordinate spirit of this day has rejected and despised.

Mr. Heyrick was short in person, and always resided at his benefice here. He died on the 30th of March, 1782, and was buried in the church-yard, near the vestry, where the stone that covers him is inscribed with his name and the date of his decease. A more appropriate memorial was afterwards erected in the church, whereon his character is delineated in expressive Latinity, by the pen of his friend and fellow collegian, the Rev. Stephen Whisson, B.D.,* to whom, by his last will, he bequeathed a token of his regard.†

* There is a fine portrait of this gentleman at Crook Hall.

† There are memorials of two suits at Law, in which our good vicar was, from his office, involved with his parishioners. In the first which is touching a subject that may occur again, he shall state his own case.

" 1st August, 1757. The Presentment of me Tobias Heyrick, Clerk, Batchellor of Divinity, Vicar of the Vicarage and Parish Church of Gainford, within the Archdeaconry of Durham, to the Right Worshipfull George Sayer, Doctor of Divinity, Archdeacon of the Archdeaconry of Durham aforesaid, or his lawful representative or representatives as follows, to wit :

" Whereas, the Church-yard of Gainford has, by continuall Encroachments of the River Tees upon the Banks thereof, been very much damaged and worn away w^{ch} the Parishioners at all times have repaired and made good. But, by a sudden and violent Flood in the year 1753, the works huilt for the defence thereof were entirely ruined and carried away by the said river (which unless timely prevented) threatens further ruin to the Church-yard and the Church itself, *having already carried away the third part of the aforesaid Church-yard*, and growing dayly worse by the neglect of the present Churchwardens, who have been from time to time admonished and required by me the Vicar afores^d to repair the same and to lay on a Rate for that purpose. But the s^d Churchwardens, to wit., Thos^s Clark, Robert White, James Elgy, and Thos^s Wrangham, of the Parish of Gainford, and Archdeaconry aforesaid, refusing to lay on a rate and neglecting to repair the Banks, w^{ch} are the Fences and Inclosure of the said Church-yard, I do hereby present the said Thomas Clark, Robert White, James Elgy, and Thos^s Wrangham, the present Churchwardens of the Parish and Parish Church of Gainford aforesaid, for their neglecting to repair and for not repairing the Banks, which are the Fences and Inclosure of the s^d Church-yard, as witness my Hand and the day and year above said.

TOBIAS HEYRICK,
Vicar of Gainford."

JOHN WILSON, A.M., was now presented. He was of Trinity College, B.A. 1762; M.A. 1765; and is remembered as a man of dignified personal appearance, and learned in the law. He usually resided at Cambridge, but was buried at Kendal, in Westmoreland; where a tablet of white marble, bearing the following inscription, obligingly communicated to us by the present vicar, was erected to his memory:

Sacred to the memory of the Rev. John Wilson, A.M., late one of the Senior Fellows and Bursar of Trinity College Cambridge; Vicar of Gainford, in the County of Durham, and Catterick in the County of York: Prebend of Landaff, and one of his Majesty's Justices of the Peace, for this County, He died the 12th of January, 1791, Aged 52.

He was succeeded in 1792, by

BERTRAND RUSSEL, B.D., who was B.A. of Trinity College, Cambridge, 1769; and M.A. 1772. I have learned nothing more of him than the laudatory memorial in the parish register. He died at Gainford, November 29, 1797, and was buried in the church-yard.

JOHN CRANKE, B.D., was next instituted, 25th April, 1798. He also was of Trinity College, and took his degree of A.B. in 1771, and that of AM. in 1774. He was born at Urswick near Ulverstone,

On Tuesday the 20th of September following, the Citation issued in consequence of this presentment was returned into the Court held in the parish church of St. Mary-le-Bow, in the North Bailey, in Durham, before Wm. Dunn, clerk, Master of Arts, Commissary of Archdeacon Sayer; when Elgy alone appeared, but would not answer the allegations in anywise. The case was then adjourned until the 11th of October 1757; when Mr. Bowly appeared for the Churchwardens, and held that they were "not obliged to answer to the pretended presentment of the said Tobias Heyrick, for that the suit was not properly cognizable or determinable by the judge of the said Court; nor was that a proper or competent Court for trying and determining of this Cause." And for and because that no Libell nor Articles have been exhibited in this cause, and that the Judicial Jurisdiction, power and authority in all civil suits and Causes of Ecclesiastical Cognizance, and the discussion, decision, and determination of all such causes belongs to the Bishop of the Diocese, in which the parties to the said cause do respectively dwell and inhabit at the time of instituting the same, or his Vicar-General or Official principal. And that no Civil suits or Causes however moved or instituted are examinable, or ought by Law to be examined, decided, or determined by the Archdeacon of the place, or his Official, unless in such place where the Archdeacon or his Official have from time to time (whereof the memory of man is not to the contrary) been used to examine into, discuss, decide, and determine such causes; and alledged that the Archdeacon for the time being of the said Archdeaconry of Durham, within the Diocese of Durham, from time to time, whereof the memory of man is not to the contrary, nor his or their official or officials hath not nor have been used and accustomed to examine into judicially, and to discuss, decide, and determine any civil suits or causes, within the said Archdeaconry of Durham, either promoted at the suit of any party, or otherwise, howsoever. And that, therefore, this pretended cause promoted against the said Churchwardens, which is properly a civil cause, having been moved and instituted before an incompetent judge, ought to cease, determine, and he no further prosecuted.

From a private letter that I have seen, it seems that the cause *did* cease, and on the agreement "that the Vicar should pay five guineas towards the repairs, and each pay their own charges."

The Vicar succeeded no better in a suit wherein John Clough and Mary his wife pleaded that a modus of one halfpenny was payable for all milk, &c., and obtained a writ of prohibition against him.—Vide *Dep. Keeper's Report of Pub. Rec. from the Enrolments in Exchequer of Pleas*. Hil. 13 Geo. III., m. 2 and 3; and similarly, m. 1 and 5.

and became so subject to fits, that he never preached during his incumbency, save when he read the articles on his induction. His brother, Mr. James Cranke, an artist of some merit, resided with him here, and managed his affairs. The vicar died September 6th 1816, and was buried near his predecessor.

JAMES BLACKBURN, M.A. was presented in the same year. He was rector of Romalldkirk, in Yorkshire; sometime perpetual curate of the Donative of Gibside, in this county; lecturer of St. Nicholas's, Newcastle; and chaplain to the Earl of Strathmore. He married, late in life, the widow of Alderman Martin Dunn, of Durham, but left no issue. He died March 4th, 1824, from a neglected bruise on the leg, occasioned by the kick of a horse, at Durham; and was buried on the north side of the church-yard, at Gainford.

GEORGE MACFARLAN, M.A. of Trinity College, and ninth wrangler in 1802, was presented to the benefice in 1824; and is the present learned and respected incumbent.*

THE VILLAGE.

The vicarage house adjoins the church-yard on the west; and has been considerably enlarged by the present vicar. Surtees says, it was

* The following CURATES have occurred to me:

Robert Rawling, in 1746, and 1754.

Philip Airey, 1765. He became afterwards Curate of Whorlton, and died July 16th 1793, aged Sixty.

James Stubbs Hale, 1780. He was afterwards appointed curate of Barnardcastle, 21st July, 1785.

Richard Wilson, 1784; afterwards perpetual curate of Whorlton and Bowes.

John Harriman, F. L. S. He was a native of Maryport, in Cumberland; and, as a botanist and mineralogist became early distinguished for the extent and accuracy of his researches.—In his seventeenth year he commenced the study of medicine; but abandoned it on account of ill health, and entered holy orders. He was successively curate of Basenthwaite, in Cumberland, Barnardcastle, Egglestone, Gainford, Long Horsley in Northumberland, Heighington, and Croxdale; and finally, after toiling as a curate thirty-three years, was inducted into the small perpetual curacies of Ash, and Satley, in the county of Durham. He held these to the time of his decease, which occurred at Croft, in Yorkshire, December 3rd, 1831, in the seventy-second year of his age. He numbered among his correspondents Sir J. E. Smith, late President of the Linnæan Society; Withering; Sowerby; Hooker; &c., and Professors Acharius and Swartz, of Sweden. By these, and other eminent men of his time, he was frequently consulted, particularly on the order of Lichens.—*Appen. to Chron. of Annual Reg.*, 1834, p. 249.

William Lishman, 1799.

Marmaduke Theakstone, was curate in 1814; but was soon after drowned in crossing the river Tees, at Hurworth. He was son of ——— Theakstone, Vicar of Hurworth, only son of Marmaduke Theakstone, of St. Martin's, near Richmond, Gent., whose monument in St. Mary's Church, in that town, states he died October 3rd, 1793, aged eighty-seven.

William Wilson, 1815.

Thomas Bligh, 1815.

Reginald Bligh, 1815.

John Thompson, 1819-1821. Afterwards Vicar of Thornton-Steward, County of York, where he died November 30th, 1842.

William Bowman, 1822, now of Gainford.

Thomas Wilkinson, 1824.

previously a low, single gable-ended house, chiefly built by vicar Malet, 1701-1721. The gardens behind "are bounded by a fine sweep of the Tees, and command a prospect up and down the river vale."

THE VILLAGE SCHOOL, a substantial building of uncertain antiquity, stands near the entrance from the village to the church-yard. The door, and a square-headed window above—divided into two lights, with trefoil heads—are, apparently, as old as the sixteenth century.

Mr. Surtees* says of this institution: "Henry Greswold, formerly minister of Gainford, gave £100. to be laid out in the purchase of lands, or annuity, the profits whereof, are to be settled and established for ever, towards a yearly salary for the schoolmaster of Gainford, for the time being, for teaching the poor children of the same parish. It appears that the bond† was given for the sum by John

* History of Durham, iv. 34.

† The Condition of this obligation is such, that whereas the abovenamed Henry Greswold, formerly Minister of the Parish of Gainford aforesaid, did for the better education of Poore Children within the said Parish for several years last past, give Sixe pounds yearly in Moneys to be paid to the Schoole Master of Gainford aforesaid, which accordingly hath been paid. And hath now also given the Sum of One Hundred Pounds of lawful English Money to be paid into the hands of the above bound John Raine, Henry Eden, Cuthbert Swainston, and Cuthbert Raine, which accordingly they have rec^d to be laid out in the purchase of Lands or Annuity, the yearly profits whereof are to be employed for the purpose aforesaid, for ever. If therefore, the s^d John Raine, Henry Eden, Cuthbert Swainston, Cuthbert Raine, or any of them, their, or any of their Heirs, Executors, or Administrators, doe and shall within the space of three years, employ and bestow the said one hundred pounds in as good a purchase of Lands or Annuity in the names of the s^d John Raine, Henry Eden, Cuthbert Swainston, Cuthbert Raine, and their heires as they can; and shall also take care that the yearly Income or p^rfits thereof by the Deeds of purchase to be drawn by Counsel Learned in the Lawe, shall be settled and established for ever towards a yearly sallary for the Schoole Master of Gainford aforesaid, for the time being, for teaching the Poore Children of the s^d parish aforesaid. And farther, if the s^d John Raine, Henry Eden, Cuthbert Swainston, and Cuthbert Raine, or any of them their or any of their Heirs, Executors, or Administrators doe and shall untill such purchase be made according to the intent and meaning of the s^d Henry Greswold, as aforesaid, well and truly pay, or cause to be paid unto such Schoole Master for his pains in teaching such Poore Children as aforesaid, yearly the Sum of Sixe Pounds as the interest or consideration of the said one hundred pounds, att two days of payment to witt, the twelfth day of October, and the twelfth day of April, by even and equal portions. That then this obligation to be void or else remain in full force and virtue.

Signed, Sealed, and delivered in the presence of us: } *John Raine, Cuthbert Swainston,*
John Moresby, Gabriel Swainston. } *Henry Eden, Cuthbert Raine.*
Joh^s Raine.

N.B.—The above is copied from the bond now in the possession of the Rev^d. Philip Airey by me B^d RUSSEL, VICAR, April 2, 1793.

The above is a true Copy, as wituess my Hand this 6 Day of April 1793, PHILIP AIREY.

At a Meeting held in the Vestry this Day, Ralph Feetham was elected the Schoolmaster.

That the interest of the Hundred pounds left by the Rev^d Henry Greswold for the poore Children of this Parish, and the one pound one shilling annually by the Vicar to the Churchwardens of Gainford, on Account of an Encroachment made upon the green, be paid to the Schoolmaster for the Education of seven poor Children.

That of these seven children, Gainford quarter be allow'd to furnish four; Piercebridge quarter one; Headlam quarter one; and Summerhouse one; to be appointed by the Minister and the Churchwarden of the quarter to which the poor Children severally belong.

That the Schoolmaster be order'd, when any of the Poor Children quits the School, imme-

Raine, Henry Eden, Cuthbert Swainston, and Cuth^l. Raine, 12 Oct. 1691. In 1804, two of the obligees paid in the sum of £25. each. This sum of £50., together with £39. 10s. 6d. ancient poor stock, in all £89. 10s. 6d., was vested in the purchase of £156. 0s. 3d., three per cent. consols, in the name of the late Earl of Darlington, and R. E. D. Shaftoe, of Whitworth, Esq. The remaining £50. secured on the above bond, had been paid in before 1804; and is invested on mortgage of the tolls of the turnpike road, from Barnardcastle to Stockton, producing £2. 10s. per annum. The schoolmaster receives this sum, and £2. 16s. 2d., as his share of the dividend of stock, in respect of £50. For this payment the master instructs in reading, writing, and accounts, six children recommended by the churchwardens from any part of the parish, exclusive of the chapelry of Barnardcastle."

"CHARITABLE BENEFACTIONS TO THE POOR OF GAINFORD.

Account of the stock of money belonging to the poor of the parish of Gainford, April 15, 1664.

DONORS.	£	s.	d.	IN WHOSE HANDS REMAINING.
Richard Garth, of Langton. . .	5	0	0	} Mr. George Sanderson, of Forcet.
Thomas Morton, of Darlington. . .	3	0	0	
Mr. William Garth, of Headlam, (deceased).	5	0	0	} Richard Walbank, of Gainford, and Ralph Carter, of Piersbridge. The interest to be distributed to necessitated widows.
Margaret Natters, of Bolam.	5	0	0	
Mr. John Liveley, Vicar of Gainford.	2	0	0	} Francis Sotheron, of Cleatlam. Lancelot Shawter, of Sumerhouse.
Thomas Fawdon, of Piersbridge. . .	3	0	0	
Henry Carter, of Gainford.	10	0	0	} Ten Shillings for Ten years, (and he was buried March 14, 1659.) Robert Smith, of Hurworth, weaver.
John Stoddert, of Gainford.	10	0	0	
John Eden, of Gainford.	5	0	0	} Robert Stoddert, brother of the deceased, doth promise to pay £2 to the poor, for his years, every Easter Tuesday.
Mr. John Garth.	10	0	0	
Mrs. Elizabeth Garth, of Headlam,	5	0	0	} Anne Eden, his widow. John Burrell, of Gainford.
Mr. William Garth, of Headlam,	5	0	0	

"William Mann, of Piercebridge, by will dated March 25th, 1674, gave 10s. to the poor of the parish of Gainford, to be distributed on St. Thomas's day, for ever."

diately to make known the circumstance to the Minister and the Churchwarden to whose quarter the Child belongs in order that they may appoint another in his room.

That the Gainford quarter be allow'd (should any of the other quarters forego its right of furnishing a Scholar or neglect to exercise that right within a week after the Minister and Churchwarden of that quarter shall have been inform'd by the Schoolmaster of the Vacancy), to furnish a Scholar, to be appointed by the Minister and Churchwarden of Gainford.

Gainford Parish Register.

"I know not," says Surtees, "the fate of these ancient charities. Some of them may, probably, be identified with the four sums named in the return, for which no interest had been paid. The residue is probably the sum vested in the 3 per cent. consols.

"Abstract of Parliamentary Return, 26 Geo. III.

					£. s. d.	s. d.
Gainford	Robt. Burrell	1665	Will	Vested in Mary Swainston	15 13 9	18 6
&	Mary Swainston	1738	deed	"	2 0 0	2 0
Bolam	Do.	1739	Do.	Churchwardens	20 0 0	16 0
-	-	-	-	-	10 0 0	No interest paid since 1751
-	-	-	-	-	8 0 0	" " 1756
-	-	-	-	-	5 0 0	" " 1759
-	-	-	-	-	3 0 0	" " 1776

"All these benefactions are *to the poor*. Stephenson's to whom the four last sums were lent, are accountable to the churchwardens; but why no interest has been paid for some years is unknown. £1. 17s. 4d., the dividend arising from £39. 10s. 6d., vested in the three per cent consols, is distributed in small sums, at Christmas and Easter, to the poor, exclusive of the Chapelry of Barnardcastle."

A large square stone, which has formed the base or socket of an ancient cross, now lies by the church-yard gate. It was removed here by vicar Cranke, from a site twenty yards further on the green. It is, of course, impossible to discover for what particular use it was applied; but it is traditionally said to have been the cross for a market that was held here. It is far from improbable that some of the lords of Gainford held a market here; though no grant thereof is extant, or mention made of such a privilege, in the Quo Warranto of 21 Edward I.; or in the several inquisitions respecting the manor, between this period and the end of the fifteenth century.

It may be observed here, that, "in the road between this place and Piercebridge," there remained in Gough's * time, "a stone deep buried in the earth, of a form very like a Roman altar, called the White Cross, and used as a stone to rest corpses on, at a funeral, and also as a parish boundary." It still remains, and old people remember the funerals from Piercebridge resting for a while before it.—"Maneat usus, tollatur abusus."

In making a drain on the Village green, nearly opposite the Methodist Chapel, on the 3rd of November, 1785, a great quantity of human bones were discovered. It has been said they appertained to different parts of the frame; but I am told by an old inhabitant they were all skulls; and have induced the supposition, that the ancient baronial place of execution was on or near that site. This was, however, without doubt upon the "Gallow-hill," an eminence near the Darlington road, on the right hand side, a little below Snow Hall

* Britania, vol. iii., p. 359.

—where many of the stones, which composed it, were removed by the late Dr. Sherwood. After the rise of Barnardcastle, it became necessary to establish another in that place, which still designates the adjoining street Gallowgate; but there was one needed here before that day, and the return to the Quo Warranto of 21 Edw. I., 1293, expressly says that Agnes de Valencia, the widow of Hugh Baliol, “habet furcas et Infangenethef apud Geneford.”

An extraordinary feat of strength is recorded on the coping-stone of one of the garden walls, opposite “Paradise Row:”

T. G. from shop door over this wall He threw a Hammer with his teeth.

The distance is above eight yards. His name was Goundry; and the initials, of his brother (R. G.), yet remain above the “shop door,” with the date 1759.

The following table, which relates to the whole parish, is abstracted from the official population returns.

	No. of Acres.	Annual Value of the Real Property as assessed Ap. 1813*	POPULATION.				
			1801	1811	1821	1831	1841
Barnard Castle Chapelry	3810	7310	2966	2986	3581	4430	
Bolam Township	810	953	93	121	121	115	
Cleatlam „	1010	876	73	103	126	94	
Denton Chapelry	800	1985	141	129	125	144	119
GAINFORD Township	2450	3274	445	431	500	524	585
Headlam „	680	1069	89	175	232	109	
Houghton-le-Side „	1240	1155	102	113	122	130	130
Ingleton „	800	1423	236	285	295	355	
Langton „	1060	1001	78	65	90	107	
Marwood „	3780	2673	156	177	212	200	
Morton Tynemouth „	250	597	23	28	31	19	
Piercebridge „	940	1065	193	231	236	278	
Stainton & Streatham „	2730	2932	272	232	251	324	
Summerhouse „	1040	1111	158	156	189	192	165
Westwick „	1210	1446	93	95	97	98	
Whorlton Chapelry	1760	1723	245	246	300	311	
Total.	24370	30593	5363	5573	6508	7430	

Of all the successive population of the village, I know, however,

* The following extract from a Book of Rates, between 1670 and 1680, may be worthy of record. The assessments seem to be disproportionate.

	£. s. d.		£. s. d.
Gainford Wood and Pasture,	4 4 0	Bolam,	2 10 0
Sellahy and Alwent,	3 3 0	Morton Tynmouth,	2 2 0
Hedlam,	2 2 0	The four Hiers and the Dale he- longing to Mr. Garth,	0 1 4
Langton,	2 12 6	Gainford Vicarage,	1 2 6
Piercebridge,	3 0 0		
Somerhouse,	3 3 0		

of none that have been particularly distinguished in the history or literature of their country; but two persons resided here in latter days, who especially, in a work like the present, have a claim to a passing notice. These were MR. JOHN CADE, and MR. STEPHENS.

The former of these was born at Darlington, in January 1734, of humble but respectable parents; and, after receiving the rudiments of such an education, at the grammar school there, as subsequently afforded him the pleasure of deciphering a monumental inscription, or numismatic legend, was sent to the warehouse of a wholesale linen-draper in London; in which, having been raised by his honest industry from the lowest to the highest station, he obtained a share in a branch of the concern in Dublin. Having realized a small but competent fortune, he very wisely retired, about the year 1775, and settled at Durham; but afterwards removed to Gainford, where he devoted the subsequent part of his life, except a few of his last years, to antiquarian researches.

The imperfect education Mr. Cade had received, and his subsequent close attention to commercial pursuits, confined his contributions to that branch of antiquarian literature which consists in the observation of topographical appearances; and of these, he seemed to delight in those that were most obscure—roads and castrametary fortifications. Like many of his day and school, he was somewhat too precipitate in assigning to the Romans many works of which that, and in some cases every other people, were perfectly innocent. This injudicious supposition, aided by that fancy that can make a link, or repair one as occasion may require, involved him in a long and bitter altercation with Hutchinson, the historian of Durham; who, as Mr. Surtees—in his exposition of one of Cade's prime fancies at Mainsforth—observes, “certainly took a pleasure in ruining poor Jack Cade's castles, and breaking up his roads.”

Both these authors in their respective histories, have satisfactorily confuted many of his positions; but much interesting information still remains, and many shrewd comparisons and particulars are evolved in his remarks. He had paid much more attention than was usual at that day to the study of architecture, of which the gothic style was his favourite; and was especially acquainted, from prints, with the appearance and detail of our cathedral churches. His numismatic knowledge too was respectable.

But it is as the illustrator of others' works that Cade is most generally remembered. “After quitting the city,” says Mr. Allan, in a memoir of him inserted in Nichols's “Literary Anecdotes,” (v. viii.) from whence we glean these particulars, “while he lived in the Temple, he amused himself in illustrating Bishop Gibson's edition of Camden's *Britannia*, with all the topographical engravings of every

kind that had fallen into his hands; and though the selection was not formed with the taste the subject is capable of, nor included many prints which would have been worthy of it, it was sold for a considerable sum."

"His illustrated Camden," continues Mr. Allan, "was a splendid and magnificent exhibition; and indeed all his books were valuable, not more from his extensive illustrating by prints, than by his own labour in blazoning arms; and, whenever there was an opportunity of imitating, in colours, very minutely, the ancient illuminations of initials and title pages." He decorated, also, in this style, several works for his friends Allan and Tunstall; and in one of his extant letters, offers his services to Mr. Gough.

"From 1782 to 1784 we find him in frequent correspondence with Dr. Kaye, afterwards Dean of Lincoln, and Mr. Gough, on Roman roads." In 1788, he communicated to the latter gentleman several corrections by himself and Mr. Allan for the counties of Durham and York, in the new edition of Camden, which was then finishing for the press; and after the publication of that work, which he told the editor he perused 'with awful reverence,' continued still his kind communications for the improvement of a future edition. In the same year he favoured Mr. Nichols with "Some conjectures on the formation of the peat mosses in the mountainous part of the counties of Durham, Northumberland, Cumberland, &c., in which other analogous circumstances are briefly mentioned," and which were printed in the *Gentleman's Magazine*, vol. lix, p. 967. In 1790 he again addressed Mr. Gough on the subject of some curiosities, discovered in digging a grave at Gainford, with some particulars of that church and other miscellaneous remarks.

"That he was not a member of the Society of Antiquaries arose from his own peculiar diffidence, and infirm state of health. He communicated, however, to their *Archæologia* (v. vii. p. 74) "Conjectures concerning some undescribed Roman roads and other antiquities in the county of Durham, in a letter to Dr. Kay," p. 82. "A letter from the Rev. Dr. Sharp Archdeacon of Northumberland, to Mr. Cade," (on a Roman inscription,) p. 160. "Conjectures on the name of the Roman station Vinovium or Binchester," in a letter to Dr. Kay, vol. ix, p. 276. "Some observations on the Roman station, Cataractonium, with an account of antiquities in the neighbourhood of Piersbridge and Gainford," in a letter to Richard Gough, Esq., *Dir. A. S.*, vol. x., p. 54. "Further observations on Cataractonium and the parts adjacent, 1789."

"About sixteen years before his death," says Mr. Allan, "he had a paralytic stroke, which deprived him of the use of his legs, and was confined to his bed ever after. During that period he was, never-

theless, always cheerful; and, frequently after dining below with his sister, I have enjoyed two or three hours of sociable conversation with him, over a bottle of wine, by his bed side. Some years before his death, I visited him, and he gave me Drayton's *Polyolbion*, *Harding's Chronicle*, *Lord Clarendon's History of the Rebellion*, and *Knight's Life of Erasmus*. He told me he had sent all his illustrated books on antiquities, as a present to the son of his early benefactor, when in trade; who, he said, was a gentleman of property and education. I have heard of his name, but were I inclined to mention it, I must dip my pen in gall or vinegar, or at least in bitter black ink; for the unfeeling inelegant wretch, sold the books in Mr. Cade's lifetime. After this my friend devoted himself entirely to reading sermons and theological tracts, of which he went through an immense mass before his death. His conversation on this subject could not be learned or critical; but it was sensible, lively, and never gloomy. I believe, indeed, no man ever waited with firmer patience for his dissolution, or with a stronger reliance on christianity. He died at Gainford, December 10th, 1806, aged 72, and was buried at Darlington."*

Mr. Allan appropriately concludes these observations—which have been transcribed at length for the use of those admirers and friends of Cade, to whom the valuable work, from whence they are derived, is inaccessible—with a comfortable assurance that will apply to many others who have inclined to his pursuits, that “he was charitable, hospitable, cheerful, and as good a man as I could have wished to have been acquainted with when young, or as I can desire to form an intimacy with, as my age advances.”

Among a selection of the professional papers of the elder Allan, in the possession of Sir Cuthbert Sharp, is the rough draft of a testamentary document, which that celebrated antiquary had prepared for Mr. Cade, so early as the year 1786. I am not aware whether its provisions were acted on or not, but they furnish some curious supplementary and explanatory matter to the preceding observations.

This is the last will and testament of me I. C. in C. D. gent., &c.

I give and devise to my dear Sister Elizabeth C., spinster, my freehold dwelling house in Gainford, with 3 pews or stalls in the parish Church. To my Aunt, Alice Dixon, of Moulton, in par. of Middleton Tyas, widow, an annuity of £15.

* Though this date is corroborated by the Obituary in the *Gentleman's Magazine*, (vol. lxxvi, part 2, 1252), it is different from that on his headstone in Darlington church yard, where he is thus insufficiently and indiscriminately recorded:

“Sacred to the memory of Mark Cade, who died 21 June 1751, aged 59 years. Also Elizabeth his wife, who died 27 Aug. 1761 aged 66 years. Also Leonard Cade their son, who died 14 June 1762, aged 30 years. Also John Cade their son who died 12 Dec. 1806 aged 72 years. Also Elizabeth Cade their daughter, who died 14 Oct. 1812, aged 82 years.”

Mark Cade, the father, was a shoemaker. By his will, dated 7th June 1751, he mentions a son Mark, to whom he leaves only a shilling, “having already bestowed a sufficient fortune upon him.”

To my uncle, Anthony Cade, of Richmond, an annuity of £20. To my aunt, Julia Cade, the now wife of s^d. Anth^y, in case she survives her husband, an annuity of £10.

To my friend and old school-fellow, W^m. Robson of Darlington, son of Tho^s. Robson, Butcher, deceased, an annuity of 2 guineas. To my two servants Mark Magennis and Jane Dixon, 50 (shillings ?) a piece, provided they are in my service at my death. To Mark Magennis my wearing apparel.

To Wilkinson Maxwell of Durham, gent.; W^m. Newcombe Geogehan, of the City of West Chester; and to Mrs. Mary Chamney of Dublin, 5 guineas each, to buy rings. I give to Geo. Fra^s. Tyson, Esq., son of my dear friend Edw^d. Tyson, late of Queen Square, Ormond Street, London, deceased, "all my Library of books, with my diamond ring."

To my godson, Richard Molineux, son of my dear friend George Molineux of Wolverhampton, Esq., the several collections I have made, as a supplement to, and further illustration of Camden's Britannia, and at this time laying unbound. I also give him the large picture of the Royal interview between the kings of England and France;* and also my profile drawn by Sykes.†

I give unto my dear friend, George Allan of Darlington "the Vellum pedigree of the family of Paston, late earls of Yarmouth; and also the copper-plate engraving of Darlington Church, which plate is now in his possession."‡

To the Rev. R. Wilson, now Curate of Gainford, the three Vols. of Calmet's History of the Bible. To Mrs. Elizabeth Waugh of New Elvet Durham, widow, my silver cup and cover. To my god-daughter, Jane Adams of London, my large silver waiter. To Mr. Geo. Ashton § of Old Elvet, Durham, my gold watch; and to Mr. John Adamson of Barnard-Castle, my large China Punch Bowl.

Sister, Elizabeth Cade, residuary legatee and sole executrix. My body to be carried to the church by six poor men, to have one guinea each.

Mr. Cade never married, but his maiden sister, here mentioned, resided with him, and died at Darlington 14 October, 1812; where she was buried by his side, in the church-yard.

MR. WILLIAM STEPHENS, our other worthy, resided at Gainford at the same time as Mr. Cade. I have not, however, been equally fortunate in learning the particulars of his parentage and career.

* This was, no doubt, the large print of "the Field of the Cloth of Gold," published by the Society of Antiquaries, and engraved after the original picture in Windsor Castle.

† There is a profile portrait of Cade at Crook Hall, doubtless that which be bequeathed to Mr. Molineux, and perhaps the only one which was ever sketched. It is in crayons, by Sykes—the same man who drew old Emerson; and it represents a man of great mildness of countenance, with a sensible face, not devoid of character. It has a powdered head, with horizontal curls at the ears, a sky-blue coat, with a low turned down collar, and shirt frills of lace in profusion. It belonged to Mr. Ashton, Cade's friend and legatee, at whose sale Mr. Raine purchased it. "Ashton lived till nearly the age of ninety, and died only a few years ago. He always spoke of Cade with the deepest feelings of respect and attachment. There is abundance of proof that poor Cade, after he was dead, was little cared for by his representatives; but Ashton was one of those that loved him, and had a respect for his memory; and it is more than probable that he secured this profile of his friend, when he found that it was falling into the hands of those who could not appreciate it.

‡ This plate was afterwards given by Mr. Allan's son to Mr. Nichols, who presented it to Surtees, for the use of his History of Durham; but it was not adopted.

§ "At the death of Mr. Ashton, Mr. Cade's illustrated copies of Wallis's History of Northumberland, in two vols., and some other books which were in his possession at the time of his death, by gift or purchase, were presented to John Ward, Esq., Solicitor, Durham."—J. R.

He was professionally an engraver of shields of arms, concert tickets, ciphers for plate, and similar miscellaneous minor subjects; but acquired his fame from pre-eminent excellence in engraving fac-similes of ancient records—a branch of art not then generally practised or understood. In 1766 he was placed in easy circumstances by the bequest of a comfortable estate from his cousin, Mr. Daniel Stephens, of Gainford; and about that time came to reside here. His house is still remaining on the north side of the green; and on one of the windows was inscribed, by his hand, among sketches of several heraldic animals:

Jam redit et Virgo, rediunt Saturnos Regna,
Jam nova progenies, cælo demittitur alto.

Virg. Ecl., 4. W. S. 1769.

Music resembles poetry; in each
Are nameless graces, which no methods teach,
And which a master hand alone can reach.

Pop. Ess.

He had four sons: William Nathaniel, who died 21 June, 1767, and was buried next day at Gainford; Henry, baptized at Gainford 24 August, 1770; William, also baptized there, 31 March 1772; and Richard. By his last will—the preparation of which, though he was seventy-two years of age, he delayed until the 12th of October 1781, but two days before his death—he directed his property to be divided among his sons, when they all should have attained majority. To his wife he gave the house at Gainford, purchased of George Fleetham, to be at her own disposal; and his “plaite books, and pictures,” to divide amongst their three sons, “as she thinks fit.” She was also appointed executrix, together with Richard Thompson, and Francis Holmes, Esq. I do not know the subsequent fate of his family, or his books; but a book of miscellaneous engravings, chiefly by him, and bearing the autograph of “Wm. Stephens, 1760,” is now in the possession of Sir Cuthbert Sharp, and may be one of those here alluded to. He was buried in the middle aisle of Gainford church, where he has a brief memorial already noticed.

His widow, though twenty-five years his junior, survived but until the 24th of Aug. 1782. Those who, like myself, may be led to peruse her will, which bears “her mark,” and a date ten days before her death, for further intelligence of the “plaite books and pictures,” will have their disappointment somewhat abated by an amusing display of treasures which the old lady no doubt viewed with much greater complacency. After the proper preamble:—

“I give and bequeath,” says she, “unto Mary Thompson junr, my yellow sattin gown and white spriggs; my white French quilting, with a set of my best lace, and also a cordy dimitty petticoat, and my stript ludestring, and also my

bonnet. I give and bequeath unto Jane Thompson my brown silk gown, my stript da Cape, and also my round hat. To James Metcalfe £5." Then to a lady who is, I believe, still living, "one of my bed gowns." To another lady of the same name, "one of my bed gowns," but with the addition of "my black quilted petticoat, and my brown quilted petticoat;" but all "my shifts and night caps," were to be divided between them. Richard Thompson "to have full power to sell my houses on the south side of Gainford; and all my goods, &c., not otherwise disposed of, and to receive all my debts due, all for the use of my three sons."

It is now time to bid adieu to Gainford, and turn to Denton; though I cannot refrain from a passing glance at Headlam.

On the road thither "*Gainford Great Wood*," one of the last noble appendages of the Barony, will attract the eye of the sportsman sooner than that of the antiquary. Its sombre monotonous outline encircles about eighty acres of somewhat swampy ground, overgrown with tangled brushwood, that has afforded a delectable retreat to an immemorial race of distressed foxes; and many a dire mishap to their relentless pursuers: while its isolated position, and dense foliage render it a singular feature in the landscape, especially at a distance, and under the influence of the declining sun. It is no doubt a portion of the park which existed at Gainford in the time of the first Earl of Warwick; at whose decease the herbage with the underwood, was valued at the annual sum of 45s. 4d.* While the manor was in the hands of king Charles I. "all the principall timber"—"the unwedgeable and gnarled oaks" that had heard the merry horn of Beauchamp and Plantagenet—was "utterly cutt down;" according to the report of an anonymous author, in 1634:† and, before a century had elapsed, their offspring again felt the axe. The present trees seem to have sprung up soon after, but have not generally attained either a profitable or luxuriant growth.

* Inq. p. m. Guid. Com. Warr., 9 Edw. II., n. 71.

† "Certaine Observations touching ye Estate of the Commonwealth, &c., by A. L. 1634." Printed by R. S. and J. R., from a MS. in the Library of Durham Cathedral.—C., m. 20. No. 3, p. 93.

HEADLAM,

A PLEASANT village of about twenty houses, on the sunny side of a swelling green, two miles from Gainford. A purling brook, formerly shaded with ancient willows, that were wantonly destroyed on the anniversary of the gunpowder plot some years ago, runs at the foot of the verdant slope; and after feeding the Hall ponds, winds through the uneven pastures beyond, and so down to join the Tees at Carlbury.

Headlam was included in the Barony of Gainford; but I have not found it mentioned in records of the Saxon, or Anglo-Norman periods. In the 33 Edward I.* 1304, Agnes widow of Hugh Baliol held this vill in dower; and 11 Dec. 35 Edward I., 1306, the jurors on the inquisition † taken after the forfeiture of King John Baliol, returned that the rents of the free tenants here, with the duty paid for license to brew ale, amounted annually to sixty-two shillings.

By an extent of the manor of Gainford taken nine years after, ‡ 9 Edward II., by Simon de Hedlam and other jurors, after the death of Guy, the memorable Earl of Warwick, it would seem that the inhabitants here, either had occasion to lament the downfall of their old lenient Baliols, or that an increased spirit of industry had been infused into their hitherto contented minds, by their new and more polished lords. The annual rents of the freeholders had then increased to 65s. 3½d.; the return from the bondholders, together with the license to brew, or profit of a common brew-house, which the lord kept for the emolument of himself and constrained use of his vassals, amounted to the large sum of £13. 6s. 11½d.; certain services which the tenants rendered were valued at 4s. 3d. annually, save reprisals; and a forge produced the trifling annual profit of 6d. These sums seem to indicate that the population of the village was then much more numerous than at present.

* E Reg. Kellawe, Ep. Dun.—Appendix, No. LIV.

† Ibid.

‡ Appendix, No. LV., ex orig. in Turr. Lond.

There existed here from an early period, a family who derived their name from the place; and, after John Baliol's forfeiture, the jurors returned, in 1306, that one John de Headlam held of the Barony of Gainford twenty-two parts of one knight's fee, a portion of which no doubt arose out of the village. In 1309, Peter son of Jordan Russell released all his rights* in Stainton, Headlam, Newsome, and Cleetlam, to his brother Simon, who probably thereupon assumed the name of Headlam, which he transmitted to his posterity; though he does not appear to have had any genealogical connexion with John de Headlam before mentioned. In 1320† this Simon held in Headlam three messuages, and ninety acres of land—twelve acres in the Houfield, and fourteen acres of land called Wodeflatt, by service at the Court of Gainford; also one hundred and forty-four acres of land, one messuage, and twenty-six acres of land, by the service of Ward of New-Castle or Streatlam. His son Geoffry was then upwards of fifteen years of age, and became progenitor of a race, who long after this period possessed property in several parts of this parish, as has been stated by Surtees; and more particularly at Stainton, where I shall have occasion to mention them again.

In the sixteenth century the Lancasters of Socbridge in Westmoreland acquired an estate here, which passed to the Birckbecks, a Cumberland family; and from them, with their subsequent acquisitions by the line of pedigree exhibited on the opposite page, to the Brockets, who still hold the Hall and a portion of the property.

About the middle of the village row, are the remains of an ancient and rude stone building, with massy walls, which appears, and tradition states, to have been a chapel; though now used as a stable for the adjoining house. The eastern half of it was pulled down a few years ago; and the only remaining characteristics of the rest are the fragment of a pointed doorway, which, before the alterations, led into a passage, and a small and very rude window with a semi-circular head, formed out of one large stone. On the steps leading to an adjoining granary are some stones, which have formed the jamb of an ancient door or window, and were, I believe, originally taken from hence.

The ancient residence of the Birkbecks, and their several successors, is at the east end of the village, in a retired situation, shaded by tall and luxuriant trees; but unfortunately a great part of it was taken down in the beginning of the last century, when Mr. Lawrence Bocket, a successful attorney, erected the present commodious mansion. It seems to have been one of those delectable structures

* Orig. Charter, at Streatlam.

† Inq. p. m. S. de Hedlam, n. 23., in Turri Lond.

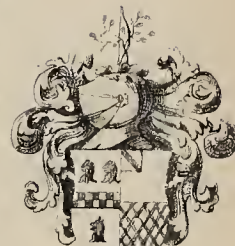
PEDIGREE OF BIRKBECK OF HEADLAM AND MORTON TYNMOUTH; WITH DRAPER, MOSSOCK, AND BROCKETT, OF HEADLAM.

Argent, a fess chequy, or and sable, between three Lions' heads erased, gules.—BIRKBECK OF HORNBY.
 Argent, a fess gobony, or and sable, between two Lions' heads erased in chief, and a boar's head in base, gules.
 Azure, a chevron ermineois, between three mullets of six points, voided, or. Crest, a cubit arm ermineois,uffed
 Or, a cross flory, sable. Crest, a stag lodged.—BROCKETT. From a seal of Professor Brockett's, in the possession of Mrs. Brockett of Headlam.

Crest, a hazel-branch vert, fructed proper, debruised by a bow bent in pale.—BIRKBECK OF MORTON TYNMOUTH.
 Argent, holding a mullet as in in the arms.—DRAPER.

Edward Birkbeck, gent., to whom Henry Earl of Cumberland granted Hornby within the parish of Brougham, 6th Edward VI., living 3rd and 4th Philip and Mary..... living 1594, mentioned in her son Ambrose's will.

Thomas Birkbeck, d. of Lancaster, Ambrose Birkbeck of Margaret d. of Richard Bowes of Aske, Co. York. sister Richard Birkbeck, living 1594 Anne d. and coh. of Ralph Henry Birkbeck, wife to Mungo
 of Hornby, Gent. 1594, living 1609 Great Chilton, Co. Pal. Gent. will dated Thomas Middleton of Barnardcastle Co. Pal., a and of Morton Tynmouth in the parish of Gainford, *jure uxoris* 1527, buried at Gainford 21 March, 1622. Alwent of Morton Tynmouth, widow of Francis Bainbrig, Gent., married at Gainford Sep. 1, 1597, Inq. p. m. 23 Jac. I. George, 1594. Edward, 1594. Simon Middleton.
 Westmoreland, living 1594. proved Dec. 7, 1594, ob. at Little Chilton, s.p. with, Co. Westmoreland, ob. at Little Chilton, and e the en- at Gainford Sep. 1, 1597, Inq. p. m. 23 Jac. I. George, 1594. Edward, 1594. Simon Middleton.
 1594. proved Dec. 7, 1594, ob. at Little Chilton, s.p. with, Co. Westmoreland, ob. at Little Chilton, and e the en- at Gainford Sep. 1, 1597, Inq. p. m. 23 Jac. I. George, 1594. Edward, 1594. Simon Middleton.



Edward Birkbeck, dau. of John Calvert of Cock-erham, co. Lanc. Henry Birkbeck (named in the will of his uncle Ambrose, 1594) of Headlam Gent. buried Feb. 23, 1637 at Gainford Anne d. of Henry Brack-enbury of Sallaby Esq., set. 2, 1575, widow of Christopher Hutton of Hun-wick Esq. who died before 1602, married to her second husb. 26 May 1606, living a widow 1639. 3.—Simon Birkbeck born circa 1585 = Bridget d. of Sir George Bowes of Streetlam, knt., and Thomas Middleton of Barnardcastle Co. Pal., a with, Co. Westmoreland, ob. at Little Chilton, and e the en- at Gainford Sep. 1, 1597, Inq. p. m. 23 Jac. I. George, 1594. Edward, 1594. Simon Middleton.
 1617, Ap. 18 1677, at Gainford. buried thesame day at Gainford. his will of any children, and his property is divided chiefly among his distant relatives. Mary d. of ton Tynmouth, Gent. s. & Es. dau. h., bap. 30 Dec. 1691, will dated Feb. 1, 1676-7, bur. 14 1668 ob. July 14 1668 buried thesame day at Gainford. Mary bap. 10. Morgan at Denton, of Millhouses Co. Pal., Gen. 1605. living 1676. Anne b. 18 Feb. 1598 at Gainford, m. probably a Wilkinson. Bridget bap. June 6, 1609, at Gainford. Margaret, to whom her brother Thomas left £60 Richard bap. 19 June, 1614.

Henry Birkbeck of Hornby Esq. Ellen d. of George Poole of Wake-bridge Co. Derby. 2.—Thomas ob. col. 3.—John ob. col. 4.—Edward. 5.—Richard. 1.—Jane. 2.—Bridget. Eleanor Birkbeck only daughter and heiress, bap. 1613, married 28 April 1636, buried April 14, 1649, as Ellen Draper, at Gainford. Henry Draper of Headlam Gent., [elder son of Timothy Draper of Newcastle-on-Tyne, (by his 3rd wife Frances d. of Christopher Consett Alderman of Newcastle-upon-Tyne, admitted to the Corporation of Newcastle, Oct. 1647, at 55 17th Aug. 1666. one of His Majesty's Customers there, son of Tbos. Draper, Citizen of London] bap. stle, admitted to the Corporation of Newcastle, Oct. 1647, at 55 17th Aug. 1666. Catherine d. of Thos. Birkbeck of Morton, bur. at Gainford Feb. 11, 1670.

Thomas Birkbeck of Hornby Esq. Gervase Birkbeck. Henry bap. 27 Mar. 1639 bur. at Gainford 27 May 1639. John bap. at Gainford 27 Feb. 1639. John Draper of Headlam et. 24 1666 mar. Bridget d. of Thomas Fell of Swarthmoor Co. West bur. at Gainford 13 Jan., 1671. Anne bap. at Gainford 24 Sep. 1637, bur. there 21 Oct. 1697. Mossock of Head-lam, bur. 22 Ang. at Gainford. Frances, 19 Sep. 1641 A dau bap. July 1644. Elenor bap. 28 Sep. 1645 at Gainford. [“An unbapt child of Henry Drapers buried 14 May 1643.”—Gainford Register. Deborah bur. at Gainford, 23 Oct. 1644. Thomas Birkbeck = Anne mar. at Gainford 31 May 1677. “Anne Burbeck of Ingleton buried ye 12 June, 1722.” “Aug. 20th, 1723. Ann Birbeck was then buried.”—Staindrop Register.

Isaac ob. inf.—Mr. Surtees in a MS. pedigree, says ex inform. Mr. Sherwood. Thomas Mossock of Headlam Esq. (Quy buried at Staindrop Apl. 6, 1721?) Ann ob. Jan. 3, at 62, buried Jan. 6 1727. Ralph Clarke of Headlam, Gent., ob. Jan. 30 set. 72, buried in Gainford church-yard Feb. 2, 1735-6 Abraham Hilton, of Hilton, Esq. m. Aug. 14 1699, at Staindrop, bu. Oct. 29, 1718. Elinor dau. of Mr. Thomas Mossock about 15 years old = Samuel Burton of Keverston, Gent. m. at Cockfield 4 Sep., 1723, bur. 15 Feb. 1729 at Staindrop. Thos. son of Thos. Birkbeck of Morton bap. 12 Feb., 1677 at Gainford. Mary bap. 24 May, 1683 at Gainford.

Thomas Mossock bap. at Gainford 23 June 1696. Elinor bap. at Gainford 30 Sep. 1684, married Christopher Hawdon of Wackerfield, near Staindrop, bur. 12 July, 1711. Ann Clarke only surviving re-ss, bur. 7 March, 1740 at Gainford. child and hei-ress, afterwards of Headlam *jure ux.*, ob. 24 Nov. 1750 set. 56, bur. at Gainford 26 Nov. Lawrence Brockett Attorney at Law, (a native of Durham), of Hilton in the Parish of Staindrop, bur. afterwards of Headlam *jure ux.*, ob. 24 Nov. 1750 set. 56, bur. at Gainford 26 Nov. Thomas Clarke bur. at Gainford 27 Sep. 1693. Rounding Clarke

1 Elizabeth bap. at Gainford, Nov. 3, 1715, ob. col. at Durham 1795, set. 80 bur. at Gainford 9th August. 2 Elinor, bap. at Staindrop May 10, 1727, bur. at Gainford Oct. 14, 1750. 3 Anne bap. at Staindrop March 2, 1728, bur. at Gainford July 20 1755 1.—Henry Brockett of Headlam, bap. at Staindrop 19 Dec., 1717, ob. unmarried 12th Nov. 1752, set. 33, bur. on the 15th at Gainford.—M.I. 2 William, of the Six Clerks' Office, bap. Dec. 13, 1719 at Staindrop, ob. bur. at Hammersmith near London. 3 Abraham (a lunatic) bap. April 13, 1722, at Staindrop, and died there. 4 Samuel bap. at Staindrop Feb. 9, bur. Feb. 14 1723-4. 5 Lawrence Brockett born Aug. 13 1724, 'X'nd' at Staindrop 28 Sep. 1752, of Trin. Coll. Cam., A.M. 1759, B.D. 1761, Professor of Modern History, in the University of Cambridge 1762, died July 24, 1768, at 43, bur. at Gainford Aug. 6, 1768. Timothy Rounding ob. Sep. 8, 1741 set. 34 bur. at Gainford

William Nevill Brockett, of Headlam, Gent., ob. Nov. 12, 1840, aged 79, bur. at Gainford—Jane, daughter of Mr. Moses of Stockton-on-Tees, living 1842.

William Wilkinson Brockett of Rokeby Grange Co. Yorks., ob. Nov. 1836, set about 38, bur. at Winston Jane d. of Shafto of Durbam, Esq., son of Sir C. Shafto of Bavington Co. Northumberland. Lawrence Percival Brockett ob. 1838, set. about 34, unmarried. Susan ob. Oct. 31, 1837, set. 37, bur. at Gainford, a p. of London. George Beechcroft Jane et. about 36, Francis Dale of Lancaster, Co. Pal. Lanc. Mercer, &c.

Richard Hodgson Brockett, born September 1832.

Frederick William Dale born Aug. 18, 1830, bap. at St. Mary's, Lancaster

John born May 22, 1832.

Frank George born July 7, 1834.

Jane Amelia born December 19, 1837.

bee ye xxiij day. 1623, An Byrckbeck bu' ye xxix daie May. 1658, John Byrckbecks bu' the 23 of May. 1658, Mrs. Ann Burbeck buried the 14th day of August (widow of Henry Birkbeck who died 1637. ?). STAINDROP. Baptisms.—1700, Aug. 15, Anne d. of Tho. & Anne Burbeck of Inglet(on). 1701, Sep. 9, Catherine d. of Tho. & Anne Burbeck of Inglet. Marriage.—Wm. Todd & Catherine Birkbeck both of this parish mar. by Banns April 23, 1724. These are, perhaps, the children of Thomas Birkbeck, son of Thos. of Morton, who was baptized in 1677; and the last of the family I have been able to discover.



* Burn and Nicholson's Hist. of Westmoreland, vol. ii., p. 399, from Dugdale's Visit. of Westmoreland, 1664. In the Collectanea Topographica, vol. iii., p. 156, are some extracts from the Parish Register of Camberwell, in Surrey, touching a family of Draper who resided there, and of whom was Sir Christopher Draper, Lord Mayor of London in 1560; but their armorial bearings bear no similitude to those of the Drapers of Headlam. The following extracts from the Gainford and Staindrop Registers I have not ventured to appropriate: GAINFORD. Baptism.—1651, Ann daug. of Jo. Byrckbeck 11 Januar. Marriages.—1597, Thomas Birkbecke and Agnes Ratcliffe m'd the 22d Jan. 1636, Willi Hey & Janne Byrckbeck married the sixt of August. 1631, Robert Neerington and Elinor Byrckbeck married xij of April. Burials.—July, 1597, Margret Birkbeck the xth. 1665, Decemb., Ann Birk-

of the time of Elizabeth or James, with a spacious and high-walled garden adorned with terraces and ornamental buildings, which seem to accord most naturally with English scenery; and are associated with a peculiarly interesting and romantic period of the past. Some slight terraces on the west, and one in front of the house adorned by four noble old yew trees, are still preserved; together with that liberal extent of garden so necessary an appendage to a country residence: but two ornamental turrets, or banquetting rooms, a little further down, at the extremity of the first division, and some similar ornaments at the entrance, were destroyed by the late proprietor; who I am sorry to suppose could find no other materials whence to erect a small house in the village. An extensive lawn with fish ponds, and a shady walk by the side of the brook, complete the seductions of this most agreeable retreat.

The eastern wall of the house and some neglected buildings behind, with square-headed, mullioned and labelled windows, are of the original fabric, and now used as a stable and other offices. The hall and the ample staircase have been included also in the modern erection. The former is a fine wainscoted apartment 30ft. 10in. by 17ft. 9in., with a richly ornamented fire-place at the south end, said by some strange error to have been brought from Keverstone. In its centre compartment is a mantled shield, bearing a *fess gobony*, between three lions' heads *erased*, a crescent for difference; impaling three *chevronels* interlaced — the arms of Henry Birkbeck, Esq., who no doubt erected the house, and Ann his wife, daughter of Henry Brakenbury, Esquire, of Sellaby. The crest is broken off. At the other end of the room is a large full-length, but rudely executed painting of a forgotten member of the family; but most likely this said Henry. He is standing bare-headed, in a suit of black, with vast breeches girt round his waist by a gilt cord, and has a large cloak of similar hue thrown across his arm. His neck is adorned by a neat laced collar; and his right hand rests, near his low-crowned and broad-brimmed hat, on a clumsy table. Above this is a small window, which opens into a garden, inscribed on the upper margin, in red, and almost illegible, characters, *Sumum Peto*; and below, *Estote humiles et patientes*. In the opposite corner of the picture is, *Suæ Etatis 55 Anno 1619*; but not the smallest trace of any name or description is visible.

On the east side of the house are some small enclosed grass yards, one of which a wavering tradition points out as the burial place of a Puritan family that resided here in the seventeenth century. Whether this is the precise locality or not, it is certain from the following record that one person was hereabout unceremoniously committed to unconsecrated earth:

"Presentment by the Churchwardens of Gainford at the Archdeacon's Visitation April 30, 1678. Mr. Thomas Mossock of Headlam hath 4 Children unbaptized, and William Hutton hath 3 Children unbaptized; And that one Anne Bainbrigge lately dyed at Wm. Hutton's house and was buried in y^e Orchard of Mr. Henry Draper of Headlam."*

Mr. Surtees also remarks, that in 1663, the Archdeacon of Durham complained that three children of Mr. Mossock of Headlam had been buried *in an orchard*, without *any* service.†

Mossock married Henry Draper's daughter; and the three children, no doubt, appropriately rest in this unhallowed cemetery.

The following shields of arms in stained glass were removed from the staircase window, which remains in its original mullioned form, by the late Mr. Bocket, to prevent any accident that might have happened to them while the house was used as a boarding school.

1.—A *fess gobony*, between three lions' heads erased, *gules*.—*Birkbeck*; impaling, *sable*, an *orle*, *ermine*, *semée* of owls, *argent*.

2.—*Birkbeck* as before; impaling *azure*, a *fret argent*.

3.—Quarterly, 1st and 4th, *Birkbeck* as before; 2nd and 3rd, *argent*, two *bars gules*, on a *canton* of the second, a *mullet* of the first—*Lancaster*; impaling *Lancaster*, as before.

4.—*Birkbeck* impaling *Lancaster* as before.

They are yet unrestored, now that the danger has ceased, but are in the possession of Mr. Bocket's widow; who has also a silver gilt cup, thus inscribed:

THYS WAS THE GYFT OF THOMAS BIRKBECKE ESQVIR^e TO M ANNE BIRKBECKE HIS DAUGHTER IN LAW : 1609.

Arms below: a *fess gobony* between three lions' heads; impaling two *bars*, on a *canton* a *mullet* of five points, pierced.

Another estate was held at Headlam by the Garths. In the 23rd Henry VII. Thomas and Robert Garth were resident freeholders here; and the family continued to make additions to their estate, to the time of William Garth, the last who was permanently resident here, and died in 1715. From the title deeds of their mansion house, and that contiguous part of the estate, now in the possession of Mrs. Clarke of Killerby, I gather that, previous to the marriage of this William's grandson John with Margaret Burrell, who was entitled to a fortune of £1300., he settled, by indenture dated 22 Jan. 1713, this estate and other lands on them and their heirs, with a provision of £1500. for his younger sons and daughters, and for one daughter if she should alone survive—reserving to himself an annuity of £60. the privilege of living in the chamber of the house where he then was, and

* Dr. Hunter's MSS., vol ii., p. 157.

† History of Durham, vol. i. p. 148.

common of garden and orchard. This John Garth removed to Bow Lane in Durham, and died without issue, leaving his widow Margaret "the dwelling-house in Bow Lane where he then lived, with the stables, gardens, buildings, &c.;" and devised in trust to the Rev. John Waring of Durham City, and James Dunning of Stockton-on-Tees, merchant, "all his lands, leasehold and freehold, in the counties of Durham and York and elsewhere, for the use of the said Margaret;" out of which lands they were also directed to pay £500. on her decease to such person or persons as she should in her will appoint. This interest, previous to her marriage with lord Darcy of Navan, she conveyed by her indenture, dated 3rd April, 1725, to Richard Shuttleworth of Forcett; and Henry Darcy of Colburne, Co. Yorks., Esquires; to whom also she devised the messuage in Bow Lane, in trust, until the marriage was solemnized: after which, it was directed to be sold, and the proceeds to be applied to the purchase of lands either in the counties of York or Durham, for the use of her future husband and their heirs; and, in default, to the right heirs of the survivors of the said Lord Darcy and Margaret Garth.

I am not aware what share of the Headlam estate actually descended to the last Garth's "neice, and heiress," Mary Middleton, who married George Crowle of Spring-head in Yorkshire; between whom, and Lady Darcy, it was observed in 1730, "that differences have occurred, and are likely to occur." In that year Crowle acknowledged, probably in whole or partial quit-claim, the receipt of £3000. from the Darcies; which was raised by a mortgage of £1600. from Mr. Mauleverer of Arncliffe, £1100. from Mr. Shuttleworth of Forcett, and £300. from William Davile Senr. Lady Darcy's interest in her estate here, is not specifically defined or mentioned in her will;* but it seems that the several shares remained encumbered until nearly the close of the last century, when they were divided into portions, which it is unnecessary to trace further.

* An abstract of this will may not be uninteresting. It is dated 5 July, and proved at York Nov. 1 in the same year. After charging all her estates, real and personal, with the payment of her debts, &c., she bequeaths to Dr. Peter Burrel 100*l*. To his daughter Margaret 100*l*. To her nephew Thomas Bowlby 100*l*. To her nephew Peter Bowlby 100*l*. To her sister Bowlby the interest of 200*l*. for her life, and at her death 100*l*., part of the said principal sum of 200*l*., to go to her daughter Mary Inman; and 100*l*. residue of the said principal sum of 200*l*. to her other daughter Elizabeth Marsden. To Frances, Hannah, and Catherine, daughters of her late sister Stackhouse, each 100*l*. "Also, I give to the Honorable Mrs. Yorke, of Richmond, and John Hutton of Marske, Esquire, 20 guineas each, to be paid them at my decease for mournings. Also I give to Andrew Wilkinson, of Boroughbridge, Esquire, and his lady, and to Miss Jessop and Miss Gell, each of them a ring of 2 guineas price, payable at my decease. Also I direct that the Diamond Ring, given me by my late husband Lord Darcy, be returned at my decease to his heir at law, according to my promise to his lordship. Also I give to Anne the wife of George Wanley Bowes, Esquire, my Picture of the late Lord Darcy set in gold; and to her sister Miss Betty Hutton, her mother Hutton's picture, also set in gold; the said Pictures to be delivered at my decease. Also I give to each of my servants who shall live with me at my decease, and shall have lived with me a year before that time, three

The house formerly occupied by the Garths here, is of the second class of manorial houses. It stands at the corner of the village, by the road to Killerby. The doors and windows are slightly but neatly moulded; and a massy chimney, older perhaps than the house, runs up the gable. In one of the rooms is an ornamented ceiling; but concealed at present by modern underdrawing.

The genealogy of this family with its several branches, is annexed in a tabular form. I have expended much fruitless pains in tracing the last lingering descendants of this elder line; not more from a respect for the name which has been ennobled by its celebrated cadet, than the obscurity in which it is now involved. To the many who incline to the dictum of Nevisanus of old — "*Disputare de nobilitate generis sine divitiis est disputare de nobilitate stercoris*" — such research may seem sufficiently idle. Still, while ample pages may perpetuate men stained with cruelty and crime, why shall not a brief space be allotted to those whose ever honourable and time-honoured name is clouded only by its association with poverty. Genealogists too often view with apathy the history of families that have fallen from the dignified estate of their fathers; yet then, when removed from general observation, they surely require our increased and particular attention. The course of unforeseen hereditary interests is then most likely to be forgot. Whatever might be gained by an investigation or perpetuation of their descent is then the most needful and acceptable; and if a pedigree is to be considered (as it too often truly is) as a memorial of pride, these narratives should be appended as incentives to humility.

full year's wages, to be paid at my decease, over and above that shall be due to them." As to the residue of her real and personal estates, one moiety she bequeaths in trust to Geo. Crow, of Stockton-on-Tees, Merchant, in trust for her sister Elizabeth Dunning for her life, and sole and separate use. After whose decease, the monies to be raised by its sale, are to be divided amongst her three daughters, Margaret and Mary Dunning, spinsters, and Elizabeth wife of the Rev. Mr. Sisson, under certain provisions and limitations. The other moiety of her estates she bequeaths to her sister Barbara Waring, in like manner as before; and the monies to be raised by its sale after her decease to her daughter Elizabeth Waring, or to her grandson John Grant Waring, then "an infant of tender years," or to both of them, or to the issue of them. In case the issue of both her sisters failed she devises the whole residue of her property to the above named Dr. Peter Burrel, for his own use. Elizabeth Dunning and Barbara Waring joint executors. Signed, &c. in the presence of Francis Wyvill, P. Johnson, Jun., Willm Thistlewaite.

"No escutcheon or hatchment; a plain Wainscot Coffin; a Hearse to carry my body to Coney Street Church, to be laid as near my worthy friend, Lady Graham, as I can; a mourning coach for my four servants, which is all the attendants to my grave I would have; to be buried early in the morning; to give at my death 20*l.* to the poor—5*l.* in this Parish, and 5*l.* to Durham, 5*l.* to Gilling, 5*l.* at Headlam; and all the money that is left in my poor purse to be given to the poor. And I declare this is a part of my will, &c. My Bearers to have Hoods, scarfs, and Rings. My Bearers:

" Mrs. Lowther	Mrs. F. Wyvill	Mrs. Twisleton
Mrs. Lamplugh	Mrs. Thompson	Mrs. Dobson
Mrs. Morritt	Mrs. Fountayne	Mrs. R. Tempest
Mrs. Cooke.		

"I desire to be kept three or four days."

PEDIGREE OF GARTH OF HEADLAM AND BOLAM, CO. DURHAM.

ARMS.—Or, two Lions passant, in pale, between three cross crosslets fitché, sable. CREST.—An Antelope argent, collar and chain reflexed over the back, or.

William Garth, of Headlam, was in the list of "Disclaimers" at the Herald's Visitation of Durham in 1615, but his grandson of the same name and place had the Arms above allowed in 1666. It is probable, however, they had been used by the family at least two centuries before the latter period; for the Garths, who were settled at Morden, in Surrey, in the year 1500, but whose exact connexion with the family at Headlam is not ascertained, have always borne the same arms. Their crest is an Indian Goat, argent, attired, eared, collared, and lined, or.

Thomas Garth and Robert Garth, were Freeholders at Headlam in 1507, 23 Hen. VII., as appears by the first extant Court Roll of Gainford.

Garth (of Headlam) "Elizabeth^e Garthe of Headlam wedowe" made her will 3 Nov. 1562, and desired therein to be buried "w^h in the churche of our Ladye at Gainford."—*Lib. Test. ap. Dun.*, p. 57.

Margaret, wife of Cuthbert Burrell of Gainford, (Marg^{ret} Burrell bur. *10 April 1587.) Richard Garth of Headlam, bur. at Gainford, 15 April, 1587. He had an illegitimate daughter, Agnes, to whom his mother bequeathed, in 1562, her "household stuffe." Agnes dau. of Mr. Richard Buck of Sadberge, bur. at Gainford, 1586. Anthony Garth, mentioned in his mother's will 1562, b. at Denton, as "Anthonye Garthe," 2 Dec. 1584. (?) "My daughter Agnes Spencer," mentioned in Mrs. E. Garth's will, 1562. "Katherin Garth," also mentioned in Mrs. E. Garth's will. "George Wickliffe and Catheran Garthe m^rd," 28 Aug. 1583.*

William Garth of Headlam, married at Gainford 16 Margaret second daughter of Robert Eden of West Auckland, Co. Dur., Esq., by Jane his wife, daughter and coheir of John Hutton of Hunwick, Esq.—She was indicted as a Recusant at Durham, 11 January, 12 James I., by the name of "Margaret, wife of Will. Garth of Headlam June, 1588, and bur. there 13 February 1627. Margaret, wife of John Eden of West Auckland, and 319 other persons; [bur. 28 May 1626 as "Mrs. Garth."]

John Garth of Headlam, Gent., Elizabeth, dau. of William Bate, of Easby, Co. York., bur. 27 Jan. 1593*, died 30 Sep., and buried at Gainford, 2 July, 1691.* Anthony, bap. 17 Aug. 1595*, ob. inf. Richard bap. 4 June, 1598*, [bur. 5 Aug. 1665*, as Richard Garth of Langton.?] Charles bap. 20 July 1600, bur. 12 June 1616, at Gainford. Roger Garth, bap. 12 Oct. 1606*, married at Gainford 11 Nov. 1628, and settled soon after at Bolam. Ann, dau. of Ovington. She had Admⁿ. granted of her husband's effects 20 Aug. 1636. William Garth of Headlam, Gent., bap. 3 April 1610*, bur. 2 Nov. 1674.* Margaret d. of Hall, married at Gainford 11 Nov. 1638, bur. 14 May, 1684. Jane bap. 30 Nov. 1590*, mar. at Gainford 18 Aug. 1607. William Banks, of Rookwood Hill, Co. Pal. Dur.

William Garth of Headlam, Gent., aged 39 in 1666, bur. at Gainford 3 April 1715, will dated 26 March 1712, proved at York 30 April 1715. Mary dau. of Thomas Jopson, of Cudworth, Co. York, eldest sister of Sir W. Jopson, Bart., bur. * 29 Nov. 1694. 1.—Ann dau. of Cuthbert Garth, bap. 11 Sep. 1632*, of Carkin in the Parish of Forcett, 1651, of Richmond Co. York, 1666, where he was bur. 2 June 1702, will dat. 14 Feb. 1701, pr. at Richmond. 2.—Margaret d. and h. of St. Martin near Richmond, Co. York, b. 28 March 1728†; will dated 11 May 1719, proved 4 April 1728. Henry Garth, bap. 22 April 1638*. He was of Morton-Palms, Co. Dur. in 1666, but before 1687 had sold two-thirds of that Manor, and was of Headlam in 1671. Elenor dau. of Thomas Sipton of Lythe, Co. York. John Garth of who died before 1666, leaving issue John and Elizabeth Garth, who bad, in 1687, 20l. each bequeathed by their Grandmother. Francis Garth. He settled at Bolam, where he built a house in 1662 and was living in 1666; over the door is remaining, G. B., 1662. Barbara, dau. of Ralph Hutton, of Long Cowton, Co. York, Esq., Commissary to the Archbishop of Richmond, n. 10 Oc. 1655*, bur. 9 Jan. 1687*. Mary mar. 17 April 1658* to James Wilkinson of Kirkbridge, par. of Stanwick Co. York, bur. at Stanwick 3 Jan. 1701-2. Elizabeth bap. 28 Jan. 1635, mar. 28 June 1670*, John Nevinston, or Nepheson, of Newby, Co. Camb., Esq. Margaret Garth mar. at Gainford 25 April, 1659, bur. there 4 May, 1690. Thomas Mowbray, bap. 6 Oct. 1661*. Ann, bap. 22 Sep. 1639 at Gainford. Thomas Mowbray, bap. 9 Feb. 1663, bur. 10 April 1674. Margaret, bap. 1 Feb. 1663, bur. 16 Feb. 1667. Margaret, bap. 15 Oct. 1668, mar. William Lodge 24 April, 1692. Elizabeth, bap. 8 Aug. 1672. John, bap. 23 April, 1675. George, bap. 15 Oct. 1677. Thomas, bap. 17 July 1680.

Jonathan Garth of Headlam, Gent. bp. * 12th Sep. 1665, bur. at Gainford 14th Nov. 1690. Mary bap. 27 Aug. 1663*, mar. William Daville of Richmond, and had issue William and Christopher, one of whom had a son named William, mentioned in William Garth's will, 1712. (Mary, wife of Wm. Daville, bur. 31 June, 1701, at St. Andrews-Auckland.) Tryphosa born 3 Feb., bap. 6 Feb. 1657*, living 1715, the wife of Woofe. Richard, bap. at Forcett 4 June, 1657. Anne bap. at Richmond, 1658, Co. York, 30 living in 1689. John Garth, bap. 28 July, 1658. 1.—William Brown, married 7 April, 1684†, and had by her William, who left issue; and Margaret bap. † 10 Jan. 1684-5, and mar. † 5 June, 1703, to Wm. Daville, of Richmond, Gent. Elizabeth Garth married three husbands, but survived them all, and was buried 23 April 1729, at Richmond. 2.—Anthony Routh of Richmond, mar. 23 March 1692†, bur. 6 Feb. 1694†. He had by her a son Cuthbert, bap. 3 Dec. 1693† afterwards of Dinsdale Co. Dur., who mar. Judith daughter of Sir Mark Milbank, and ob. 1732 Aug. 1714. Robert Simpson, mar. Elizabeth, bap. 17 Nov. 1668, at Richmond. Francis Garth of Bolam, Gent., (buried at Staindrop, Co. Dur., 23rd Jan. 1736.?) Mary, dau. of Sir Francis Brewster of Westminster, Knt. She had an annuity of 40l. provided by her father's will, which was concealed many years. There is a tradition that she eloped to be married from a Convent in Ireland. Barbara Garth, bap. 11 Nov. 1660, at Gainford. William Mowbray, bap. 6 Oct. 1661*. Thomas, bap. 9 Feb. 1663, bur. 10 April 1674. Margaret, bap. 1 Feb. 1663, bur. 16 Feb. 1667. Margaret, bap. 15 Oct. 1668, mar. William Lodge 24 April, 1692. Elizabeth, bap. 8 Aug. 1672. John, bap. 23 April, 1675. George, bap. 15 Oct. 1677. Thomas, bap. 17 July 1680.

1.—Elizabeth "John Garth of Headlam, Gent.," bur. 13 Oct. 1685*, mar. in Bow Church, Durham City; mar. settlement dated 22 Jan. 1713. After 31 July, 1703 his marriage he left Headlam, and resided in Bow Lane, in the parish of St. Mary-le-Bow in Durham, 1711*, aged 32. —M. I. where he died s. p.; will dated 14 Dec., 10 Geo. I., 1723. 2.—Margaret dau. of Peter Burrell of Durham, will dated 5 July 1758, proved 1 Nov. 1758, died at York 3 April 1725, mar. at Forcett 6 April 1725, died 19 July 1731, aged 80, bur. at Gilling.—M. I. James Darcy, 1st Lord Darcy of Navan in the Kingdom of Ireland, mar. settlement dated 3 April 1725, mar. at Forcett 6 April 1725, died 19 July 1731, aged 80, bur. at Gilling.—M. I. Jonathan Garth, bap. 29 June, 1687, ob. bur. * 28 Aug. 1706, aged 19. M. I. Gainford. John Middleton of Barford, Co. York, Gent., m. 1 May 1705, ob. 21 March 1709, aged 40 bur. at Gainford.—M. I. John Garth, named as grandson of Cuthbert Garth in 1701. John Garth of Gainford par. 1721, afterwards of Staindrop, Co. Dur., Barber, bap. at Gainford 20 Nov. 1694, ob. 11, bur. 16 Feb. 1777, at 83.—M. I. Staindrop. Dorothy, dau. of Hardy of the par. of Gainford, mar. 22 Jan. 1721, ob. 14, and bur. 17 May 1763† at 59. Francis Garth bp. 26 March 1699*, a Barber at Bish-op-Auckland in bp. 19 Jan. 1730. Ralph, bap. 2 Jan. 1700 bur. 24 March, 1702*. Benjamin Garth of Hartlepool, Glazier in 1730, bap. 30 Nov. 1703, mar. Jane Laburn of Staindrop par., in which he then resided, 25 Jan. 1726. Thomas, bap. 17 April 1705*, Frances, bap. 16 Oct. 1690, mar. George of Holborn, whose widow she was in 1730. Lucy married before 1730 Timothy Fagin of Durham, Yeoman. Mary, hap. 30 Jan. 1695, mar. before 1730 Wm. Taylor of St. Catherine's, London, Shoemaker. Hannah born . . . , mar. from Bolam Dec. 21, 1730, Thomas Blacket of Bolam, Yeoman; died at Mr. Garth's of Greystone 29 Nov. 1792, aged 98, and was buried in the south porch of Gainford church. Hutton, bap. 5 Sep. 1697*, mar. in or before 1730 George Aynsley of Sedgfield, Tailor.

Mary Middleton "only daughter—George Crowle of Spring-heath and heiress administratrix Head Co. York, Esq., and also niece and heir of Mr. married before 15 Oct. John Garth," of Sedbury Co. 1730. (Qy. of Water-York, spinster, July 23, 1727. Fryston, Co. York 1741.) John Garth bap. 23 Thomas, bap. 23 Oct. 1726, bur. 22 Sep. 1724. Christopher Garth, of Bolam, baptized 18 Feb. 1727, died young and s. p. William Garth of Barnardcastle, Spirit-Merch and Tallow-chandler, bap. at Staindrop 23 Oct. 1730. His son and daughter both died unmarried. Henry, bap. 31 July, 1734. Anne baptized 17 Oct. 1736, mar. Anthony Bazin, but had no issue; bur. at Staindrop. Dorothy, hap. 26 Dec. 1739†, died drop, Attorney-at-Law, ob. 22 Oct. 21 Aug. 1818, aged 78.—M. I. 1812, aged 61.—M. I. Staindrop. Thomas Garth of Barnardcastle, Grocer and Linen Draper, married 21st May 1807, died 28th March 1834. Mary, dau. of Obadiah Haderington, of Flax-dresser, bp. Kendall Co. 14 April 1741, Westm. mar. 8 July 1776. Frances, bap. 25 April, 1746†, bur. 1747. Margaret, wife of — Parkin of Barnardcastle, Grocer, and had Nov. 1727†. Mary Garth bap. 5 March, 1728†. Samuel Garth bap. 17 March, 1728†.

Mary Garth born 20 Aug. 1777, ob. 25 Dec. 1789. John Garth of Barnardcastle, Surgeon, born 30 Jan. 1782, living March 1846, unmarried. Thomas Garth of Newcastle-on-Tyne, Chemist and Druggist, born 9 May 1783, died at Hull, unmarried, 22 May 1832. Dorothy Garth born 11 July 1779, died 4 Jan. 1822, bur. at Staindrop. Thomas Thornton of Barnardcastle, Grocer and Linen Draper, married 21st May 1807, died 28th March 1834.

Thomas Thornton of Bishop Auckland, Attorney.—Margaret Dalton, mar. 18th Sep. 1828. Mary Thornton born 18 Jan. 1810, mar. at Newcastle-on-Tyne to Charles Martyn of that Town, Linen Draper and Silk Mercer, but now of Claypath, Durham City, and has issue one son and two daughters. John Garth Thornton, of 34 and 35 Boar-Lane, Leeds, Chemist and Druggist, born at Barnardcastle 18 May 1818. Eleanor, eldest d. of Benjamin Watson, Esq., of Blenheim Terrace, Leeds, mar. at Leeds 9 Nov. 1843.

1. John Wm. Glover Thornton born 14, died 19 May 1829. 2. Dorothy Margaret born 13 Feb. 1831. 3. Thomas Glover born 30 Sep. 1832. 4. Mary Rebecca born 29 April 1834, ob. 5 April 1841. 5. John Garth born 29 Sep. 1835, ob. 11 Nov. 1835. 6. John Garth born 18 April 1837. 7. Frederick born 9 July 1839. 8. William Henry born 11 April 1841. 9. John Preston born 16 May 1842, ob. 5 Feb. 1844. 10. Charles Joseph born 16 April 1845. Martha Elizabeth Thornton, born 20 January 1845.

* Gainford Par. Reg. † Richmond Par. Reg. ‡ Staindrop Par. Reg.

There are three entries in the Parish Register of St. Dunstan in the West, London, that undoubtedly belong to the Garths of Headlam; and according to the Collectanea Topographica et Genealogica, Vol. iv, p. 177, and Vol. v, p. 374, where I found them, stand thus: 1567, Aug. 18, Mrs. Elizabeth Garth bur. 1569, Mar. 23, Robert son of Mr. John Garth bap. 1631-2, Thomas son of Mr. John Garth bap. 20 Jan.

In the domestic history of a village Squire of the Elizabethan era, whose longest journey, beyond the market or the church, was seldom further than the County town, these dumb exponents of long forgotten scenes arouse curiosity and imagination. The presence of "Mrs. Elizabeth" so far from her rural home, may perhaps, be explained by the supposition that she had, as was the custom with persons of similar station, formed one of the establishment of the Earl of Westmoreland at Raby, which is almost within view of Headlam; and had thus journeyed to Town with the Dowager Countess, one of whose children was buried in St. Dunstan's church in the same year as Mrs. Garth; and she herself three years afterwards. Her identity is made more evident by the fact that in 1569 there was buried here another person from the vicinity of Raby, Percival Bowles, a relative of Sir George Bowles, who had perhaps been similarly retained, and might be related to the Garths, one of whom, bearing that singular christian name, was at one time, what might have been the cause of Mrs. John Garth's residence in that same parish sixty years afterwards, when the Nevilles themselves needed a patron and a house, is not so easily conjectured. The registers throw again the only light by recording, about the period in question, individuals of the name of Eden and Cradeock. The mother of the Mr. John Garth, who had, at that time, just come into possession of the estate at Headlam, was an Eden; and the owner of an adjoining estate a Cradeock. An opportunity of enhancing the pleasures of the metropolis by the society of his relatives and friends, or some necessary occupation, may have therefore caused that occasional absence from his estate; which is otherwise shown to have occurred by the baptismal entries of four of his children, including his eldest son, being wanting in the Register at Gainford.

The following entries from the Parish Register of Gainford cannot be appropriated with certainty. BAPTISMS.—1601 June Garth baptis the xijth day Decemb. 1563 Sittie Garth bap. . . May. 1584 ffeb. Robert Garth bap. the vij day. 1587 April William Garth bap. the xxx day. 1589 April Dorothy Garth bap. the xijth day. 1589 Sept. Robt. Garth bap. the xijth day. 1591 Margaret Garth bap. the xxiii day. Dec. Richard Garth bap. the xxviii day. Jan. John Garth son of John Garth of Howble bapt. the xix day. 1593 Janet Garth bap. the xth day. 1613 April Ann ye daughter of Peter Garth bap. the xvi day. 1636 Elizabeth d. of John Garth. 1661 Nov. George ye son of William Garth of Patebridge baptized ye 17th day. MARRIAGES.—1628 Henry Keaton and Anne Garth mar. the sixth day of June. 1579 William Elmdon and Agnes Garth m^rd the xxiiijth daie of August. 1579 Wm. Raine and Elizabeth Garth m^rd the vij daye of December. 1584 Christopher Robinson and Margaret Garth m^rd the xxvth daie of October. 1587 Barnard Bones and Ann Garth m^rd the vijth daie of May. 1635 William Garth and Anna Whitfield married xxvij of Julie. 1643 Robt. Spenser and Eliz. Garth mar. 14 Sep. 1663 William Garth and Myriel Deek mar. 5 feb.—BAPTISMS.—1572 John Garth bur. the fourth day of Sep. 1586 April Vxor Garth Garth bur. the xxvth day. 1592 Sep. Martha Garth bur. the third day. 1593 Feb. Margaret Garth bur. the xi day. 1594 Nov. a child of Cuthb^t Garth bur. the vij day. 1597 Sep. Isabel Garth bur. the six day. 1691 Sep. Mrs. Anne Garth of Headlam vid. bur. ye 23 day. Qy. widow of Roger, who died young in 1636.

A branch of the family, to whom it is probable that some of these entries have relation, was settled in, or adjacent to, the village of Denton, in the time of Queen Elizabeth. In the Register of the Chapelry, however, we only find these fragments:—1584 the 2 of December anthonye Garthe buried. 1598 Cuthberte garthe buried ye 20 of Julie. 1598 Thomas garthe buried the 30 of Dec^r. John Garth a sponsor 1605. 1608 Marye Garth Baptysed the v of february. 1640 Job^s Burrell and Jana Garth mat^r. copulat m^rd 26. The rest with a few gleanings from the Register of Gainford, may perhaps best be recorded thus:

John Garth—Margaret, bur. 22 Dec. 1634.

Anthony bap. 17 Feb. 1610; Sponsors Wm. Garth, Watson, & Margaret Garth. William bap. 11 April 1613; Sponsors Wm. Garth, Mart. Carter, and — Howe. Ann, bp. 19 Nov. 1615; Sponsors Lady Mary Tong, Anne, Burbeck, and Cuthbert Tong. Elizabeth bap. 21 May 1618; Sponsors Glib. Frevil, Eliz. Tong, and — Garth. Margaret, baptized the 3rd Sept. 1620. Catherine, baptized the 10th of February, A. D. 1622.

Garth of — Ann Garth of Summerhouse par. of Gainford, widow, bur. 24 June 1690, at Gainford.

George Garth of Summerhouse, yeoman, bur. 17 Jan. 1718 at Gainford.—He granted, by Indenture dated 6 Oct. 1713, to John Pickering, —Margaret Garth of Summerhouse, buried 11 Feb. 1734 at Gainford. Clerk, all his houses and lands at Summerhouse.

George baptized 16 June, 1674, at Gainford. William bap. 26 July, 1680, buried 11 May 1703, at Gainford. Ann bap. 14 November 1672, bur. 12 February 1688, at Gainford. Margaret baptized 29 Aug. 1676, bur. 1 April 1682 at Gainford. Ann Garth, dau. and at length heiress of Geo Garth, whose grant — William Lambton of Pickering she and her husband confirmed, by deed dated 17 Summerhouse, Gent. May 1734, gives Mr. Robert Harrison, of Lindrick, near Ripon, 17 May 1734.

2 After the most diligent enquiry I am unable satisfactorily to confirm my supposition, that this John Garth was the father of the late William Garth of Greystone, near Gainford, and afterwards of Staindrop-Moor-House, near Auckland. In anticipation of the evidence which the publication of this circumstance may evoke, the statement of his issue is postponed to the "Addenda."



The decline of one branch was unusually swift. Francis Garth of Bolam, son of John Garth of Headlam, erected a house at Bolam in 1662; and had an only son Francis, who married Mary, daughter of Sir Francis Brewster, of Westminster, knt., whose change of society I could fancy Pope has amusingly delineated:

"She went to plain work, and to purling brooks,
Old-fashioned halls, dull aunts, and croaking rooks:
She went from opera, park, assembly, play,
To morning walks, and pray'rs three hours a day:
To part her time 'twixt reading and bolia,
To muse, and spill her solitary tea,
Or o'er cold coffee trifle with the spoon,
Count the slow clock, and dine exact at noon;
Divert her eyes with pictures in the fire,
Hum half a tune, tell stories to the squire."

Thus much for fancy. The sad realities of the match were twelve children, nine of whom survived their majority; and, by some strange imprudence, or severe pecuniary embarrassment of their parents, fell into a subordinate station of society; most fittingly detailed in the annexed pedigree.

Another family of Garth, who branched off from the House of Headlam about 1630, settled at Bolam, a village on the high ground about five miles to the north-east of Gainford, and produced that great poet whose fame has shed a gleam of interest over this name and place. He was eldest son of Mr. William Garth, a substantial yeoman, who held a leasehold estate there under the Hospital of Jesus at Guisbrough, and had the discrimination to release that member of his family from his hereditary destiny on the paternal lands, and to send him to Peter-House, Cambridge, to cultivate that promising genius, the triumphs of which need no memorial, or recapitulation here. His works, especially his "Dispensary," are unfortunately clouded with much ephemeral and allegorical matter, now wholly devoid of interest; but there is many a golden grain interspersed, which deserves to be transplanted to modern soil. The qualities of his heart were in unison with those of his head. Benevolence and generosity, it seems, prompted him to the composition of that work from whence he has chiefly derived his fame; though, these qualities, commemorated in the immortal verse of Dryden and Pope, would have alone sufficiently buoyed up his name on the stream of time. The keenest arrows of his wit are never poisoned; and his skill in his profession was dignified and equalled by the humanity with which it was exercised. Dryden's elegant line,

"Garth, generous as his muse, prescribes and gives,"

will not only record that, which it was as honourable in the one to have excited, as in the other to have bestowed; but, will recall the

memory of Garth's noble conduct, when the funeral rites of his illustrious friend were interrupted by the hereditary brutality of Lord Jefferies. He was the associate of many that were honoured for their talent or rank; and was, especially, the early encourager of Pope, who gratefully commemorates it in his epistle to Arbuthnot:

“Well-natur'd Garth, inflamed with early praise,”

and dedicated to him his second Pastoral.

On the accession of George I., his merits—recommended by, or selected for, his Whig politics—were acknowledged by the honour of knighthood, which was conferred on him at St. James's, October 10th, 1714, with the Duke of Marlborough's sword; and he was also appointed Physician in ordinary to the King. He died on the 18th of January, 1718, in the communion, as Pope reported, of the church of Rome—a circumstance no way incompatible with, but, by some believed on account of, his ambiguous assertion, that he “was the best of christians, although he knew it not.” Of the truth of this, however, we cannot now enquire; and it would avail us nothing to judge.

William Garth, his next brother, remained on the paternal lands, and left issue, whose representatives exist. His grandson William lately died at Killerby, one of whose children—an aged woman, in indigent circumstances, at Ingleton—is all that remains on the old soil, “*ex veteri stirpe Garthorum oriunda.*”

It is singular that the two chief pedigrees connected with this small township should exhibit the names of three eminent, though unequally celebrated men. That of Birckbeck is honoured by SIMON BIRCKBECK,* B.D., Vicar of Gilling, near Richmond, in Yorkshire; and brother of Henry Birckbeck, the first of his family who settled at Headlam. He was author of “The Protestant's Evidence,” a valuable, but like many more of its age and class, neglected work, which received the commendations of Selden, and many other judicious scholars; and of which a reprint in the present state of the church, would be as acceptable, from the peculiar tendency of its opinions, as useful to those who are justly anxious to maintain and enforce them.

In 1762 the REV. LAWRENCE BROCKET, of Headlam, the representative of Henry Birckbeck, here mentioned, became Professor of Modern History in the University of Cambridge.

* Wood has a biography of him, with the titles of his works.—*Ath. Oxon.* vol. ii., p. 128 reprinted with some brief notes, by Surtees, vol. iv., p. 25.

DENTON.

THE Chapelry of Denton, comprising the townships of Denton and Haughton-le-Side, forms a detached member of the parish of Gainford; and is distant on the north eastern side about 5 miles from the mother church. The village occupies a low site, as its name imports, near the intersection of the Darlington and Piercebridge roads; and appears to have been, at some time, of much greater extent. There is a tradition that it was ruined, together with several adjacent villages, on an invasion of the Scots; but another equally unchristian, and I fear more probable cause, may be assigned; if the author of "Certaine Observations," 1634, before quoted, is not judging from local appearances only when he says (p. 20) touching "Depopulation of the Common Wealth by the dealing of Landlords," "Our owne Countie is verie fruitfull of Extortions and oppressions in this nature, and it is verie easie to produce some townes, as *Walworth, Denton, Vnaby*, w'ch (as the report is) are turned from villages to demaines, and are depopulate by these meanes." To the west of the village, and also to the south of the chapel, "*vestigia quædam sed tenuia*," as Leland would have said, indicate the site of the ancient tenements. Several old houses have been pulled down within recollection, and the place is now chiefly tenanted by the work-people of the manor farm.

Denton is not included, *eo nomine*, among the places which the Earl of Northumberland obtained from the See of Durham, before the Conquest; nor have I found any mention of it in the Saxon times. It was, doubtless, given as a part of the barony of Gainford to Guy Baliol, by whom, or his successor, a considerable estate was granted out to a family who assumed the name of the place. The piety of Jollan de Denton, the probable grantee, transferred,* with the consent of his son William, a small share of his possessions to the

* See the grant from the Almoner's Book, now among the Mickleton MSS. in Bishop Cosin's Library, Appendix, No. LIJ., p. xxvi.

church of Durham, for the use of its Almoner: and the said William also granted to it, for the same pious purpose, an oxgang of land in Denton, with the house and toft, and all other things appertaining thereto, for the space of fifteen years next ensuing,* after the year 1211. During the time of the prior Bertram, 1189-1209, the lands, rights of common, and other interests, bestowed by Jollan, were re-granted by the church to Martin the Carpenter, of Denton, under the yearly rent of 12d., with a fine of 12d. on a forfeiture, and 2s. for a relief.†

In these transactions are comprehended nearly all that I have retrieved of the history of the family of Denton. In the original grant of Jollan, and the confirmation of his son, both doubtless made at the same time, Andrew de Denton, and Walter son of Peter de Denton, are witnesses; and Walter at least was of the blood of the donors. Walter, son of Peter de Denton, who might be son of the former Walter, was a witness in 1301 to a charter of lands in Stainton;‡ and, I apprehend, was the same Walter de Denton who was a juror on John Baliol's inquisition, in 1306.§ Richard de Denton was a juror 9 Edw. II., on the inquisition of the first earl of Warwick;|| and Nicholas, Walter, and William de Denton¶ on that of the earl of Warwick, in 43 Edw. III. The heiress of this Nicholas conveyed the Denton's estate here, with their lands at Walworth, Haughton, and Alwent, to Nicholas Brakenbury, of the house of Burnhall; whose line enjoyed them and resided here until Agnes, daughter and coheir of Anth. Brakenbury**—whose lands here at his death were held in common socage of the crown, as of the manor of Barnard—carried them 3rd and 4th Philip and Mary, to her husband, Gilbert Marshall of Newcastle. Their grandson, Cuthbert Marshall, alienated them, in the time of James I. to Roger and William Tocketts and Francis Thompson;‡‡ from whom they have passed, through various hands, to those of their present owner, Matthew Culley Esq.; whose ancestors have purchased other parcels of land in Denton, the descent of which cannot be traced higher than the latter end of the seventeenth century.

Ralph Neville, earl of Westmoreland, held lands here of the honor of Barnard; and the Tempests and Taylboys under him.†† William

* Almoner's Book, Appendix, No. LIJJ, p. 27.

† Surtees, vol. iv. p. 3, has substantially transcribed this grant from Reg. Eccles. Dun. I., part i., p. 68. It is entered also in the Liber Elemosinarii.

‡ Orig. Charter at Streatlam.

§ Appendix, No. LIV., p. xxix.

|| Appendix, No. LVI.

¶ Appendix, No. LVII.

** Inq. p. m. Anth. Brakenbury.

†† Surtees, Hist. Dur., vol. iv., p. 2.

‡‡ Et de xvijs. ex'en de ter'i in Denton, una cu' servic' Tho'e Tailbois, et alior' tenent' ibid que ten' de p'd'co com. Warwic.—Inq. p. m. Rad. Com. West. capt' apud Cast. Bernardi, xxvj. Nov., a^o pont. xx. Langley. These lands, &c. were afterwards held by the Countess Johanna.—Inq. p. m. Johan. Com. West., 3 Neville Pont.

Tempest died seised of a messuage, eight tofts, one hundred and sixty acres of land, and two acres of meadow, in 1441. These, I apprehend, were parcel of the lands afterwards acquired here by the Tongs of Thickley; in whose possession the manor, after an obscure course which cannot now be investigated, is found in 1592. The inquisition taken on the death of George Tonge, Esq., on the 13th of January in that year, states that he was seised of eight messuages, thirty cottages, forty gardens and orchards, five hundred acres of arable land, two hundred of pasture, *one hundred of wood, three hundred of moor*, and the advowson of the rectory or chapel, held of the Queen, of the honor of Barnard.

About 1659 Tonge's estate was alienated by George Tonge, grandson of the above, to colonel Robert Byerley, of Midridge, from whom it passed through various hands unto Sir Ralph Milbank, who inheriting from the Carrs of Cocken, conveyed the reputed lordship of Denton to Matthew Culley, of Wark, Esq., for £9500.*

The Hall stands at the west end of the village. It is a plain gabled mansion, of the time of James I., and was perhaps built by Sir George Tonge when he came to the estate. The western wing has been pulled down, and the remaining part presents nothing remarkable.

The Tongs were a junior branch of an ancient house that were lords of Tong, in the parish of Birstall W. R. co. York., and resided long at Eccleshill, in the parish of Bradford, not many miles from thence. Their first settlement in the county of Durham was at Thickley, in the parish of Heighington, of which W. Tonge was vicar in 1499. They bore the arms and crest of the Tongs of Tong, without difference or distinction.†

Brackenbury's Hall stood still further to the west, but its very ruins have perished. It probably occupied the site of that chief messuage, half of which, as of the orchard and mill here, were given at an early period by *John de Denton* to his son William.‡

Towards the close of the twelfth century a chapel was founded here by Joceline de Mundeville and William de Herteburn, the former of whom, judging from his christian name, might be allied to, or a member of the Denton family, who had removed to Coatham and founded an independent house, of which detached and undated charter memorials exist. The endowment consisted of twenty-four

* Surtees, vol. iv. p. 2.

† The pedigree of Tong of Thickley and Denton was entered at the Visitation of Durham, 1615; and printed from that record, with many augmentations, by Mr. Surtees, vol. iv., p. 4. See that of Tong of Tong, in Whitaker's Loidis, 250, where, however, the connection is not noticed.

‡ The undated grant mentioned by Surtees has not occurred to me, but I suspect the parties were Jollan and his son William, before mentioned.

acres of land, a toft and a croft, and common pasture in Denton for as many sheep, horses, pigs, and other animals, as appertained to two oxgangs of land. In consideration of this grant to the mother church of St. Cuthbert at Gainford, which was strengthened by the seal of Bernard Baliol, the rector thereof agreed, that a chaplain of Gainford should say mass there on each Sunday, Wednesday, and Saturday, throughout the year—the founders finding vestments, books, and such necessities; but all appertaining to episcopal dues was to be chargeable on the chapel itself.* The convent of St. Mary at York is in nowise alluded to in the transaction; but not long after they granted to Richard,† servant of lord Bernard de Gaynesford, all the lands belonging to the chapels of Denton and Summerhouse,‡ as long as he conducted himself to their satisfaction and paid his rent of twelve-pence annually.

* Reg. B. M. Ebor.—Appendix, No. XXXIII., p. xvii.

† Ibid.—Appendix, No. XXXIV., p. xviii.

‡ SUMMERHOUSE, a small village on the Staindrop and Darlington road, about one mile west of Denton; is what Leland would have styled "hut a meane place." There are a few ancient cottages. One in particular, now used as an inn, has a peculiar air of picturesque antiquity. A respectable family of Burrell long resided here; and also a branch of the Garths of Headlam. In the twelfth century the Beneits were the chief proprietors; but now, like many more, are remembered only for their pious deeds. In the time of Bernard Baliol, Emme, with her daughter Margaret, and son-in-law Robert Beneit,* obtained from the vicar of Gainford the same spiritual privileges for the people of Summerhouse, as were bestowed on the foundation of Denton chapel, in consideration of their grant, under the seal of Bernard Baliol their lord, to the church of St. Cuthbert at Gainford, of twenty acres of land, one acre of meadow, a toft and a croft, such as belonged to two oxgangs of land of their own proper demesne (ex proprio dominio nostro), with common of pasture for 100 sheep, 2 horses, and 16 other animals. I take it these were the twenty acres of land in Summerhouse, which, with twenty-four acres in Denton, in all two oxgangs, were granted by the convent of St. Mary,† during the incumbency of Gilbert de Lacy, to one Richard, a foreigner, (Ricardo francigene) on condition of the annual payment of two shillings to them, and the same to the church of Gainford. The tenure was determined by the legality of his dealings with them, and the regularity of his payments; but they expressly stipulated that if he or his heirs should, either by force or other casualty, lose possession of the lands, they would not find them an equivalent. The structure of this chapel has disappeared as completely from the eye, as its subsequent history and fate from the remembrance. It probably stood to the south of the village, near to where indefinite foundations remain of an extensive building, traditionally called the castle. Surtees conjectures this may have been the *Summer-house* of the lords of Raby, who held certain lands here, in perpetuum firmam, of the church of Durham, who had a grant of them from William son of Robert Beneit, in 1207.‡ The Campus de Aula is therein mentioned; so that the Summer seat, if one it was, must be of still higher antiquity. Sir Robert de Nevill, of Som'hous, Knt., witnessed a deed of lands in Stainton, in 1296,§ and requires record in the pedigree, unless identical with Robert of Raskelf. The successive lords of Raby continued their possessions here, until their lamentable extinction on the attainder and forfeiture of Charles Earl of Westmoreland in 1569.

While on the subject of chapels, I may remark that there was, at the Dissolution, a chantry in the adjacent village of Bolam, dedicated to St. Lawrence, which has also escaped the notice of Mr. Surtees; and, indeed, is unmentioned in the *Valor Ecclesiasticus*. A roll of miscellaneous accounts temp. Elizabeth, in the possession of Sir C. Sharp, mentions that a tenement that had belonged to the same was then in the occupation of Thomas Pitscher, and of the annual value of 20s. The existence of another hitherto forgotten chapel at Langton, is rescued only from total oblivion by the mention of "Radulfo clerico de Langet'" as a witness to an undated charter of lands to Hugh Trayne, in Streatlam, about the end of the 13th century.||

* Reg. B. M. Ebor. Appendix, No. XIII., p. vi.

† Ibid. Appendix, No. XII., p. vi.

‡ Hist. Dur., iv., p. 31.

§ Streatlam Charters.

|| Ibid.

These are the only memoranda that occur touching a foundation which still exists in its pristine usefulness and humility. The history of its advowson is rendered somewhat dubious, in consequence of a claim raised to it in 1595, by Henry Tonge, whose father, George, is said expressly in the inquisition on his death, in 1593, Jan. 13, to be seised "*de advocacione Rectorie sive Capellæ de Denton.*" But "forasmuch," as Vicar Cradock says, in his memorial of the proceedings in Gainford register, "as the said curate and his patron could not shew or prove anie lawfull title unto the said Chappelrie and premises," which the Vicar evidently proved by ancient evidences did belong and appertain unto the parish church of Gainford, therefore the curate and his patron, after friendly arbitration, renounced all claim. It was, however, renewed in 1659, by George Tonge, who was defeated again by vicar Greswold, armed by the collections and memoranda of the cautious Cradock.* I am not aware whether the Tonges acted under the supposition that the advowson was regardant to the manor; but, it may be observed, that it is never mentioned in the grants of the Baliols touching advowsons in the parish: though the monks of St. Mary considered themselves so far interested as to perpetuate the two charters I have quoted above, in that invaluable chartulary of their house, now happily reposed in the cathedral library at York.

The CHAPEL stands on a slight eminence at the east end of the village, from whence there is a wide and pleasant prospect of the Yorkshire hills, and the country around Darlington. It is a grievously plain building, erected on the old site in 1810; and somewhat divested of its barn-like character in 1836, by the erection of a north transept, lighted by a neat early English window of three lights, in good taste. The internal length of the whole is 54ft. ; width 19ft. 6in. ; length of the transept 16ft. ; width 16ft. 8in.

The old chapel was no doubt that which was originally erected in the twelfth century. Hutchinson,† who sadly neglected the opportunity of preserving many appearances and facts that are now irretrievably lost, says "the chapel or church of Denton is dedicated to St. Mary. The chancel (which had lain several years ruinous, but was repaired before 1700) is eight paces in length and six in width, and divided from the nave by a pointed arch. The nave is fifteen paces in length and seven in width: to the south a large porch, formed by a wide-pointed arch, called Brakenbury's porch." And then, as if he was writing on some subject different to the one on which he was engaged, and had mentioned antiquities but incidentally, he coolly observes, "In the window" (of the porch I presume) "*several* figures in painted glass. On the floor *many* tombstones ;

* Surtees, vol. iv., p. 6.

† History of Durham, vol. iii., p. 264.

but the *figures* and *inscriptions* much defaced. Some of the inscriptions are in the Saxon character. *One begins* Prays pry Cigyst, &c. *Another*, Hic jacit Sir Ver..... de Coynners, &c. &c. *There are several stones sculptured with crosiers, and much ornamented: one with an inscription run in lead, but no part distinct.* The mode of the sculptures, and the characters used in the inscriptions, (no doubt Longobardic) all much more ancient than any resident family of whom we have account."

But this most culpable indifference, which now would disgrace the compiler of a directory, will become much more annoying when it is known that not a vestige of the several figures in glass, the figures and inscriptions, or ornamented and sculptured stones, except that of Conyers, now exists. I cannot even hear a tradition of them. All had been swept away indiscriminately with the new erection; and the figures and sculptures, and inscribed stones, if not broken up for rubble, are walled irretrievably into the foundation of the building.

And thus, year after year vanish from the land, the structures, humble though they often may be, raised by the piety of our fathers to the honour and service of their maker; and unseemly erections, such as this, are protruded in their stead. We have, however, as regards their continuance, the consolation of believing that they cannot long remain to disgrace the ecclesiastical establishment, or architectural talent of the kingdom; and that another century will perform what we have been unwilling, or unable to do in this.

That infatuated and ungrateful apathy for the wisdom, institutions, and remains of our forefathers; which is rendered more odious by its union with our unjustifiable laudations of the present, and expectations of the future, may not, however, be so easily expelled from among us.

Yet, are we for ever to be so

"Heart-buried in the rubbish of the world,"

that we will not turn aside a while—that we will not sometimes make one step, one effort, to preserve the works and remembrance of men who looked to our present for their future; seeing that we nationally and individually await our renown and memory in the approbation and gratitude of the generations that are to come—men, to whom we, and our edifices and hopes, as well as our vices, and failings, and virtues, shall be "the past"? Is it not utterly degrading to feel and daily observe that, whilst money can be provided for every species of riot, folly, dissipation, and crime—whilst subscriptions can be poured in for the erection of gaming-houses and socialist halls, and other purposes, if not of as openly criminal, yet

of no less pernicious and immoral tendency—whilst tens of thousands are squandered on the gaudy and meretricious conceits which are daily obtruded on our eyes, disfigure our squares, and encumber our streets,—few, comparatively, will turn their faces, in gratitude or admiration, on the silent past; and think it worthy, alike either to draw beautiful scientific principles and designs from its hallowed works, as political principles and religious zeal from its well-tried and hard-earned examples? We ask not, we expect not, men to bow down in admiration of stock and of stone; but, by the memory of their dead fathers, by the remembrance of those that are gone—the dearest, the kindest, the best—to protect, at least from wanton aggression, barbarian ignorance, and indiscriminate restoration, those hallowed piles beneath which they are sleeping; wherein they learned that faith in Jesus, which sustained in life, and comforted in death; and under whose shadow they themselves also are to be gathered when the days of the years of their pilgrimage are at an end.

But, independent of all temporal or scientific sentiments, to guard these structures from ruin and to preserve them from decay, was esteemed a duty, and a pleasure, and a pride, ere the great temple of mammon had cast its baneful and deadly shadow athwart the land, and men had prostituted themselves to that wretched and loathsome utilitarianism, which will bring, alas how soon, its own punishment, and grind our pride heavily in the dust. What think they who are now singing in the eternal domes of heaven? if to such may be permitted an interest in earth. What think they?—It may be the parent who cherished you—the child that gladdened you—the one dearer than each, than all—the close of whose existence may have embittered your own;—what think they who have gone before you, and, divested of every thing that degraded here, gaze with undimmed, unclouded eye, on that sublime and infinite glory, typified to mortal sense by radiant piles of jewels and of gold?—What, indeed, think they of those, who while their own dwellings are their constant and too often only object of care, neglect, not to say despise, those hallowed houses—sometimes it may be humble, oftener beauteous and goodly—wherein their omnipotent creator vouchsafing his presence, we are to be prepared and fitted for our reception unto the great temple of the faithful, of all ages and of all time—to the House not made with hands, eternal in the heavens?

And while we reprobate the careless observations of Hutchinson, whose fault is somewhat exculpated by the general taste and requirements of his day, let it be an example to us to perpetuate that which we may suppose will remain for others, only because it has remained for us; or that will be uninteresting then, only because it is familiar now. Let it add, also, another to superabundant warn-

ings of the urgent and imperative necessity of something being done on a grand and more efficient scale than has hitherto been attempted for the preservation of our national antiquities.

The French nation have set us a noble example, in their systematic endeavours for the description and pictorial representation of their architectural and ancient memorials. And what shall prevent us from following, however slowly at first, in the same course? Not the lack of objects most surely—not the lack of students—nor of ability—nor of means? May it not be somewhat the lack of method, and the impracticability of a commercial remuneration? There is a real disposition here, to do much. Many societies have been formed, whose best services have been rendered in awaking general feeling and attention to the subject; but the end of too many of these, as far as topography is concerned, seems rather to be to attract notoriety by hasty and inconsiderate publication, than enrich the stores of topographical learning, or alleviate the toil of the ever indispensable county historian, by patient and systematic collection. The display of gladiatorial discussion, especially on subjects which, from our imperfect observations we are not yet prepared to discuss, and an anxiety for the reputation of having done something, no matter how or what, have also retarded the progress of their utility in this respect; not less than individuals have injured topography, by the forestalling and spoiling of subjects which might have been adorned by the hands of abler men.

And we would also suggest that if those engaged in the study and furtherance of archæology would turn, for a while, their attention to the recording and representation of those innumerable remains of antiquity scattered throughout the kingdom, from the duskiest alleys of our crowded towns, to the summit of the wild and heathery hills—all daily liable to perish, and hourly perishing, from a variety of causes, several of which will never cease or be abated—we humbly conceive their energies would oftentimes be more profitably directed than by the publication of manuscript documents, and re-publication of printed books—few affording equally valuable information; liable to much less injury; and of which the consideration may be delayed, until more fleeting objects are secured. Nor is this most desirable and important end to be attained by the reading and printing desultory and scattered papers on churches, or barrows, or castles, or tombs, all excellent in themselves: but—laying aside what Mr. Nichols has very forcibly and justly styled “the useless trifling of perpetual beginnings,”—by a systematic and minute representation, by a small but zealous body of associated individuals in each county, of every fragment, vestige, and appearance of antiquity worth pen, ink, and paper—and how few are they which are not?

The history of each county seems to be the most appropriate repository for this detail of its antiquities, and for this lithography would present us a sufficient and economical medium; but, since it seems that sense and spirit are alike wanting in those whose duty it is to their country and posterity to promote such undertakings, it is reasonable to suppose, that in the larger counties at least, their appearance will be protracted to more deserving and auspicious days.

But to return to the fabric that has compelled these reflections.

The uppermost step to the altar is formed on the north side by a monumental slab of blue marble, 2ft. 6in. at the head, 1ft. 8in. at the foot, 5ft. 9in. long, and 6in. thick. It bears the mutilated effigy of a female—the wife of Aubrey de Conyers—sculptured in low relief; and around, at the space of 1½in. from the margin of the stone, is inscribed in Longobardic characters of about 3in. high and 3 or 4 apart, but unfilled with lead:

DIDI GIST AVBREY DE COYNNERS SA COMPAYN.



It is apparently of the twelfth century,* and the workmanship is very rude; the lower part of the figure being a mere outline. Since it does not cover the place of interment, it should be removed to a more safe and conspicuous position; for a pew is built on the upper part, and the altar-rails cross the other longitudinally.

Mr. Surtees observes "the font stands on the spot from whence the south porch projected, and just before it lies a coffin lid of beautiful workmanship, sculptured with a sword, shield, and buckler, slung around a cross." The font is now improperly placed by the altar, but the stone has completely disappeared; and I can only suppose, that if it was not destroyed on building the north transept, Mr. Surtees, or some one whose notes he had perused, had seen it in the old chapel.

* Vide Gough's Sep. Mon., vol. i., p. 221, pl. 20.

It is again tantalizing to find, that while Hutchinson's inscribed stones are buried or destroyed, there are left, robbed of their inscriptions, two large blue marble slabs, which, with that of Conyers, form the upper step to the altar. One measures 6ft. 1in. by 3ft. 1in., the other 5ft 9in. by 3ft.

Before the rails is another slab of similar material, 7ft. by 3ft. 7½in., with a groove for a brass, that has been torn away within memory. It is said to have commemorated one Hobson, perhaps from the circumstance of "John Hobson" being cut on the end of the stone.*

A small freestone near the west door has borne a brass.

There is a stone coffin in the burial ground, on the south side of the chapel, that was dug up either when the chapel or transept was erected.

There are but few gravestones in the chapel yard, and these only entitled to transcription.

To the Memory of the Rev^d Joseph Cradock, late Minister of this place, who died the 9th of June 1780, Aged 67 years.

This Stone is erected to the Memory of Matthew Culley of Denton, who was interred here Dec. 17 1762 Aged 76 years. Also of Eleanor his wife Daughter of Mr. Edward Surtees of Redworth who was Interred here June 17 1776 Aged 80 years. Also of Matthew their son who died an Infant. And of Edward their son who died an infant. And of Ann their daughter who was interred here May 20 1752 Aged 26 years. Also of Robert their son who was interred here August 15 1783 Aged 56 years. Also of John their son who was interred here Feb. 25 1749 Aged 19 years. And of Thomas their son who died an infant.

The Register prior to 1812 was comprised in 3 vols. The earliest, an 8vo volume of forty-two stout parchment pages,† contains the series from 1588, 1579, and 1576 respectively, to 1673, 1647, and 1646 inclusive; with an hiatus in the baptisms and marriages from 1600 to 1604, and in the burials from 1599 to 1604.

1587.—The 25 of Julye Isabell francklande bapt.‡

1588.—The 27 of october elenoure nevell bapt.

1589.—The 3 of aprill Elysabethe bankes bapt.§

1589.—Raffe Smythe baptz y^e v of aprill in y^e p'ishe church of gay'forthe and brought to dento' the same daye his godfathers m^r farrand vicar of gaynford

* Yet they were of long standing in this part. Henry Hobson witnessed a charter at Barford sup' Moram 20 Feb., 1374.—*Orig. at Streatham*, 35.

† I found this book becoming so illegible in many parts that I made a transcript of the whole, which, with a few prefatory remarks, has been further perpetuated through the generosity of Mr. W. Harrison, of Ripon, who has printed thereof eight copies. One is deposited in the British Museum; another in the College of Arms; and a third on parchment, and stoutly bound, with the original in the Chest at Denton.

‡ Of a respectable family at Houghton, who may have been connected with that of Cocken.

§ The Bankses were a branch, I imagine, of the ancient family of that name, long settled at Whitley co. York. (*Harl. MS.*, 4630 p. 72) which estate was sold by Oswald Banks, in the early part of the seventeenth century. Queen Elizabeth granted a joint lease to Wm. son of Charles Banks, 23 July 1600, of certain lands, parcel of the lordship of Raby.—*Harl. MS.* 2718.

- and John Burrell m^{rs} hilton godmother. [*In the margin*, R. S. sent to Cambridge y^e 8 of maie 1604 14 of maie anno etatis 14.]
- 1589.—Jane frankhelaine baptz y^e 25 of aprill.
- 1593.—Jane marshall bapt y^e 29 of Aprill.*
- 1597.—mary marshall baptysed y^e 26 of februarye.
- 1582.—The 23 of maie margary vavicer bury.†
- The 25 of Dece'ber an willie buried.‡
- 1583.—The 27 of februarye conane willi b:
- 1584.—The 13 of maie Raffe wille buried.
- The 11 of maie Roger bankes buried.
- 1588.—The 3 of Aprill gylbarte marshall bur.
- 1599.—Willya' franckelande buryd y^e 12 of march.
- 1579.—The 22 of november uswande bankes maryed.
- 1585.—The 10 of maie Willya' francklande maryd.
- The 14 of november thomas willie maryd.
- 1592.—Rycherde tanckard maryed the 1 of October.§
- 1596.—Elyzabethe marshall baptysd y^e 29 of october.
- 1599.—John baynbrydge maryed the 17 of June.
- 1605.—Willyam todd || and Margaret Burden maryed the xxiiijth daie of June.
- 1605.—An Sigsworth baptized the fourth of Angust.¶
- 1605.—Marye Burbecke baptызed the first of January 1605 hir godfather thomas marshall of denton hir godmothers maistres mary tonge wiffe to m^r henry tonge of denton and the viffe of george watson of somerhouse.
- 1606.—An Marshall Baptызed the vij day of September hir godfather John garth and hir godmother an Croseer & margaret (*sic*) the graue wiffe in the yeare of our L 1606.
- 1606.—Raphe willy Baptызed one Thursday the forth daye of december 1606 his godfathers m^r Thomas chater and John Burnett his godmother maistris mary tonnge wiffe m^r henrye Tonge de denton.
- Jane willye the daughter of John willye Baptызed the 22 of december 1607 hir godfather Cuthbarte tongue hir godmothers Jane Tanckard and Jane Booth.
- Rycherde marshall died on Thursdays at nyght aboute 4 or 5 aclocke after mid-nyght beinge the Sixt of october 1608 and buryed the fryddaye at nyght aboute 7 or 8 of the clocke the 7 of october 1608.
- John willie Baptызed the 14 daye of februarye 1608.
- Margarett wastell buryed the 19 of februarye 1608.
- Rogger watson** baptызed the ix daye of aprill 1609 son of george watson of somerhouse at the svit and earneest Request of John cradock vicar of gay'forth.

* This, and the succeeding entries of this name, are supplementary to the pedigree in Surtees, vol. iv. p. 24.

† Of the Vavasours of Weston, W.R. co. York, who held the adjoining manor of Cockfield. —*Harl. MS.*, 245, p. 132.

‡ The pedigree of Willy was printed in Surtees, vol. iv., p. 5, chiefly from the Visitation of 1615, without consulting this register.

§ He was a younger son of Ralph Tancred, esq., of Arden, and married Jane, daughter of Christopher Chaytor of Butterby, esq., widow first of Ralph Willy, next of William Frankland.

|| This family still resides in the Chapelry, and appears to be of antiquity. Robert Thode witnessed a charter at Barford in 1319; John Tod one at Hullerhush in 1401; and another Robert Todde one at Sellaby in 1411.—*Orig. Charters at Streatlam*.

¶ Of a respectable family that continues to reside in the Chapelry. John aud Robert de Siggiswyk witnessed a charter at Hullerbush in 1401.—*Orig. ut supra*.

** William Watson, a progenitor of this respectable family, had a lease of lands from the the Chantry priest of our Lady in Barnardcastle, 30 Hen. VIII.—*Orig. in B. C. Town's-chest*.

1608.—George Carlele baptized the 23 daye of August.*
 Marye Blaxton the daughter of henrye Blaxton christened the xxijth of Januarye
 1609 hir godfather Ralphe blaxston and marye Tongue the wife of henrye
 tounge and Elizabeth blaxston the godmothers.
 Michael Savell maryed the viijth of maie 1610.
 Rob'tus filius Joh'is willey baptizat xij^o martij Sponsores Rob'tus Hiliard Gu-
 lielmus williamsonne & Isabella Chaytor.
 Oswaldus Banks sepult. 14 Decemb: 1611.
 Henricus Tonge obiit & sepultus iacet Heighingtoniæ 19 Nouemb 1615.
 Dorothea suauiss: charissimaq' Roberti Boltoni conjux, com'uni omniu' astantiu'
 mærore & lachrymis sepult. 25^o Octob 1623.
 Alicia relictæ oswaldi Banks sepult Martij 27^o 1624.
 Henricus filius Roberti Bolton baptiz: Decemb xxix^o 1611 Sponsores Hen:
 Blakiston Rich: Heighingto' et maria Tongue.
 Rogerus filius Roberti Boltonn baptizyd 27 feb 1613 Spons: Roger' Tockett'
 Cuth: Tong & Elizab: Tong.
 Alicia filia Joh'is Bainbridg de Killarbie bap Maij 9^o Spons' Georgius marley
 An'a Burbecke & Jana Phillips 1615.
 Catharina filia Rob'ti Bolton nata 29^o April Bap: 5^o Maij. Spons Cath Black-
 stone Thomas: Leauer & Georgius Tonge 1616.
 Rob: Boulton Minnerster of Denton was Bouried the 18th of Joune 1640.
 Henricus filius Georgij Tong Baptiz octob 20 Spons: M^{ri} Mermaid: Blackstone
 Guliel: Blackstonn & Mariæ Blackstone.
 Radolphus filius Georgij Tonge militis baptizat 12 die Aug Spons: Redolphus
 Conyers miles Joh'es witham armiger & priscilla Tunstall 1621.
 Gulielmus filius Georgij Tonge militis baptizat Aug: 23 Spons: Christop:
 Byarley Joh'es Lumley & D'na Laiton 1629.
 Isabella filia Georgij Tonge militis baptiz: 1634.
 Dorothea filia Matthej Hodgsonne de Benwell baptiz Oct: 4 Fidei jussores Geor-
 gius Scott D'na Gertruda Maddisonne & D'na Elizabetha Coperthwait 1636.
 Henricus filius Henrici Madisone de Novo castro bap Novemb: 6 fidei jussores
 Geo: Tonge & Lionel: Madisone milites & D'na Eliz: Buwick 1637.
 Tobias Tonstall & Priscilla Hopewoode. Copulat novembr 26^o 1611.
 Christopher Coperthwait & Eliz: Blakistone mat Copulat Oct 10 1635.
 Ambrosius Raine et phillis Brunskale de Barnardcastle ex licentia Thomæ Burwell
 cancell' Dunelm matri: copulat mart: 10 1637.

The following Ministers of this Chapel may be added to Mr.
 Surtees's list, which it is unnecessary to repeat.

RICHARD and ROBERT capell' de Dentona.†

JOHANNES APLEBY capellanus de Denton, 1488.‡

THOMAS BINDON, *ibid.*, 1489-1497.

RALPH SMITH, from about 1583 to 1600.§ And

JOHN BIRKBECK, who read the articles January 14th, 1836;§ and
 succeeded on the cession of Thomas Peacock, father of the present
 eminent Dr. Peacock, Dean of Ely.

* No doubt of the old family of the Carleles of Haughton-le-Spring. The line of pedigree
 is continued in this register.

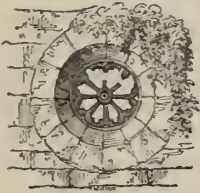
† Lib. Elemos. Dun.—Appendix, p. xxvii., No. LIJ.

‡ Vide p. 84 *antea*.—MSS. Hunter i., 159.

§ Chapel Reg.

BARNARDCASTLE.

Cui genus, a proavis ingens.—VIRGIL.



F the extensive area of the parish of Gainford, about one half is severed from the rest by the diminutive parish of Winston. This detached portion, which stretches along the northern bank of the Tees to the bases of those stony mountains that form the western boundary of the county, is thinly populated in proportion to its extent; insomuch that it has been deemed requisite only to be distributed, ecclesiastically, into the Chapelry of Barnardcastle in the upper, and that probably elder one of Whorlton in the lower portion. Civilization, however, aided by the Roman road that branched from the "High-street" to Binchester, over this district, had crept up hither early in the Saxon times; and, among those places which the earl of Northumberland obtained from bishop Aldhune, between 998 and 1018, are enumerated Whorlton,* Sled-wish, Stantun, Streatlam, and Marwood; whose territories, as then defined, probably included the whole of what is now called the upper parish of Gainford, and afterwards passed about the year 1093, from William Rufus, as an integral portion of that great manor, to the Norman lord of Baliol.†

The beneficiary interests, on which this enterprising and noble adventurer immediately entered, were here indeed small in comparison to those which cheered the heart of many of his less distinguished companions. Naturally stern and desolate as must have

* *Lel. Coll.* vol. ii., p. 377.

† Guido Baliol (Baylol) in Angliam cum Williel' 'Conquestor' venit, cui quidam Guidoni, Williel' Rufus Rex anno 7 regni sui, pro bono et fideli servitio suo impenso, dedit Baroniam de Bywell in Com. Northumb'; eumque Baronem inde fecit; deditque præterea idem Rex Williel' Rufus dicto tempore, forestas d' Teasdale, et Marwood, simul cum dominiis de Mickleton in Teasdale, et Gainford, cum omnibus eorum regalitatibus et immunitatibus, ad inde spectantibus.—*Spearman's Enquiry*, p. 51, from *Mickleton's MS. B.*, fol. 9.

been the face of this almost untilled and sylvan region, the ravages of recent wars had imposed calamities on the wretched inhabitants of a less reparable and temporary nature. After the siege of York, in 1069, the king, wishing to strike terror into his turbulent northern subjects, devastated the country far and wide between there and Durham, with so relentless a hand, that, to him especially who now looks on that goodly and fertile plain, the testimony of a contemporary and Norman historian can alone be unsuspected of having exaggerated its effects. "Humus per sexaginta et eo amplius miliaria," says William of Malmesbury,* "omnifariam inculta, nudum omnium solum ad hoc usque tempus. Urbes, olim præclaras, turres, proceritate sua in cælum minantes, agros, lætos pascuis, irriguos fluviis, si quis modo videt peregrinus, ingemit; si vetus incola, non agnoscit." Howden† records in the same tone, but with more harrowing minuteness: "Omnibus extinctis vel gladio vel fame, vel propter famem paternum solum relinquentibus. Ita, terra cultore destituta, lata ubique solitudo patebat per novem annos. Inter Eboracum et Dunelmum nusquam villa inhabitata, bestiarum tantum et latronum latibula magno itinerantibus fuere timori."

While famine and the sword, a desolated home and uncultured country, had reduced the inhabitants to the most deplorable misery and destitution, Malcolm king of Scotland, after William's departure, swept his army with deadly fury down Teesdale towards Cleveland; burning churches, murdering the nobles, seizing the women and young men as captives for slavery; and thus adding the last drop to that cup of unmingled misery, of which these wretched victims could possibly be called upon to partake.‡

It can be only for the imagination to judge how GUY BALIOL, on his accession to this ravaged territory, subdivided it among those by whose swords he had contributed to Duke William's conquest of the realm. The existence of a prohibition from king Henry I. after the year 1109,§ that he should not hunt in the forests of Flambard bishop of Durham, indicates that then he occasionally visited, if not resided, on this estate; and it was, we would hope, compassionate attention to the interests of his ruined tenants that restrained him from employing them in the erection of one of those fortresses, with which he saw his compeers fortifying their newly-acquired possessions around him.

This arduous but necessary undertaking was reserved for the resolute and warlike spirit of his successor BERNARD BALIOL; who,

* Prol. Lib. iii., de Gest. Pont. Angl., Ed. Savile.

† Lel. Coll., vol. iii., p. 197.—Vid. et Sym. Dun., 199.—Chron. Walt. de Hemingford.—Ord. Vital., p. 514.

‡ Chron. Joh'is Bromton.—X Scrip. vol. i., p. 966.—Lel. Coll., ii., 381.

§ Lel. Coll., vol. ii., 389.—Surtees, vol. i., p. 1; Appendix, cxxvi.

willing to desert the old manor place of Gainford, embosomed in a lowly position in the river vale, as better suited to the genius of Saxon agriculturists, or the sequestered retirement of religious devotees, found in the heights of Marwood all that could minister to his warlike inclinations, or enhance his rural diversions. The stern crag, that beetled above the headlong torrent of the Tees, presented an imperishable foundation for a structure that was intended for no temporary duration, and for impregnable security; while the dense and luxuriant forests that stretched from its base far away among the purple fells, not only sheltered hordes of deer and domestic cattle, but afforded to him and his knightly followers, an unlimited and abundant chace, in the intervals snatched from sterner predatory avocations.

Here then between the years 1112 and 1132* rose that structure which served at once as an appropriate residence for himself, and a protection to the persons and property of his dependents. The simple habits of the time required for the former but little, though undisturbed accommodation; while the latter was secured in the enclosure of an area of upwards of six acres, by walls whose substance was not only proof against the military engines of that rude day, but afforded in their extent, a convenient and commanding rampart, whence a numerous body could repel beseigers. The families of those connected with the baronial establishment, naturally gathered themselves nigh to them; and, with the accession of artificers and peasantry, who sought the protection of the potent lord, formed the germ of that burgh, which, disdaining the humbler but more antiquated appellation of Marwood, has transmitted, somewhat singularly, the name of its foster parent and founder through the lapse of seven hundred years.

To this community Bernard, it is recorded granted the enjoyment of certain privileges and immunities, similar to those which Alan of Brittany had granted to his newly-settled burgesses at Richmond; and incorporated them into a borough by creating an inheritance therein to themselves and their posterity. From the absence of the foundation charters of both boroughs, it cannot be ascertained distinctly, in what these privileges consisted.† Judging from analogous cases, they might be exemptions from the payment of certain tolls of pontage, passage, lastage, and stallage, freedom to buy and sell, and privileges connected with the readier or ameliorated administration of justice among them. For these liberties

* Guy was living in the former year, but "capella de castello Bernardi" is mentioned in a charter between 1131 and 17 July 1132.—Reg. B. M. Ebor —Appendix, p. v., No. X.

† The confirmatory charter of Bernard, junior, merely says they were "secundum liberalitates de Richemunt."

the burgesses paid a certain rent to the lord, thus rendering the enfranchisement of the borough a reciprocal benefit.

The chapel, which Saxon piety assuredly would have provided at Marwood, now doubtless was found insufficient to accommodate the increasing population. Immediately under the shadow of the fortification, a new structure arose before 1132;* which, amid all the fantastic repairs and alterations of subsequent tasteless times, still displays interesting remains of its original substantial and appropriate character. The humble Bede kirk that was re-edified at no long subsequent period exists, I am ashamed to say, amid an increasing and overflowing population, perverted to secular purposes.

This Bernard inheriting the ancient estates of his family in France, with the extensive territorial acquisitions of his predecessor, in this country, was a potent and influential character. The territories of Ballieul, Dampierre Heliscourt, and Horney comprised the former; and here, independent of undistinguishable lands in the south, the Baronies of Gainford and Bywell in Northumberland, and Stokesley, with its appurtenant forest of Basedale, in Yorkshire. But, the enterprising spirit that brought hither his family disquieted his breast, and led him to Scotland for new honours and acquisitions. The charters of David I.† 1124-1153, shew that he was frequently attendant on court of that king; and from him he obtained lands which caused the fatal introduction of his posterity into that kingdom. Yet he had the manliness to join the northern barons in dissuading David from his war with England; and the spirit to meet his benefactor at the memorable battle of the Standard, on Cowton moor, in August 1138.‡ In 1140, when Cumin§ under the countenance of David and the Empress Maud, attempted to intrude himself into the See of Durham, Bernard and Eustace Baliol were for awhile the first and most powerful of his adherents: though at last the usurper sent a detachment of his army to ravage the territory of Barnardcastle, and succeeded in obtaining a large booty, beside several prisoners whom he caused to be put to torture. Two years after Bernard supported king Stephen at the battle of Lincoln, and was then taken prisoner along with him.||

He confirmed to the monks of St. Mary of York the donation of Guy Baliol of the church of Gainford and chapel of Barnardcastle;¶ and, with a solemnity seldom witnessed on similar occasions, resigned Dynnesley, a member of his manor of Hitchen in Hertford-

* Reg. B. M. Ebor.—Appendix p. v., No. X.

† Dug. Baron, i., 523. Chalmers' Caledonia vol. i., p. 567, from Chart. of Kelso, 51.

‡ Ailred apud Twysden. Ric. Hagustald, 261, 320.

§ Contin. Sym. Dun. in Ang. Sac.

|| Ric. Hagustald, 269.

¶ Reg. B. M. Ebor., Appendix, p. iii., No. IV.

shire, to the Knights of the Temple,* in a Chapter of their Order held at Paris, in the presence of the Pope, the King of France, four Archbishops, and one hundred and thirty Templars clad in their white vestments.† Being possessed, according to Chalmers,‡ of the manor of Woodhorn in Berwickshire, of the gift of David I. he made a grant to the monks of Kelso of a fishing in the Tweed, called Woodhorn Stell; which was attested by David I., and by Guy Baliol his son, and confirmed also by David I., and Hugh Baliol. The presence of this Guy leads me to suppose that he was next in the succession to the inheritance, and elder brother to Bernard II., who actually enjoyed it in 1167; and that the more, since there is a charter,§ whereby Wido de Baliol confirmed to the monks of St. Mary at York the church of Gainford, with its appurtenances, “quam Bernardus de Ball’ eidem Abb’ie pater meus concessit,” &c. This document must date after 1152, from its mention of Martin Abbot of St. Agatha’s Abbey, which Whitaker presumed was not founded before that year.||

Be this as it may, before, or in 1167, Bernard the eldest was dead, and was succeeded by another

BERNARD BALIOL, his eldest son, who having neglected in that year to certify the number of his knights’ fees was fined 20*l.*; || and perhaps, on its non-payment, suffered that seizure of his lands by the crown, which he ransomed by the payment of 100*l.* He also was a stout soldier, and demeaned himself valiantly at the siege of Alnwick in 1174;¶ when by his personal ardour and a well-timed ejaculation, he contributed mainly to the capture of William, the Lion of Scotland. He advanced the welfare of his burgesses at Barnardcastle no further than by confirming to them, by a charter**

* Mon. Ang., vol. ii., p. 523.

† Mr. Surtees assigns this grant to Bernard II., but its confirmation by king Stephen indicates an earlier date.

‡ Caledonia, vol. i., p. 567, c Chart. Kelso, n. 24, 32, 50, 52.

§ Reg. B. M. Ebor.—Appendix, p. iii. n. VI.

|| Richmondshire, vol. i., p. 109.

¶ Dug. Baron.

** Gul. Nuhr. lib. ii., cap. 33. Cron. Joh. Bromton, X Script. 1091.—He there styles him, “vir nobilis et magnanimus.”

†† This document, which is written in a bold legible hand, remains in good preservation having a seal of yellow wax appendant, bearing the adumbration of an equestrian figure, with a shield and extended sword, but the circumscription is broken off. It is now deposited in a small oaken box, within the town-chest, in the Toll-hooth at Barnardcastle; together with the charter and the inspeximus of another charter of Hugh, a charter of John, and another of Alexander Baliol to the burgesses, three documents relating to the chantry in the chapel here, a letter from Prince Charles’ council, 1618, and the silver seal of the burgesses. There is also a mysterious and blank parchment, folded charterwise, with a worn impression of the burgesses’ seal attached, that is said to have been substituted for a purloined charter of privileges. If true, this must have been done before Randall’s time, who mentions the parchment; but the seal if detached from the old document, is at variance with the tradition. In 1695 the Court Rolls of the manor shew that “some of the writings of the towne of the right and privilege of common being lost,” as was presumed through the negligence of the foreman of the Jury taking the town-chest into his custody, a penalty of 3*9s.* 4*d.* was provided for a like neg-

that still exists, their rights of burgage tenure granted them by his father; but, in the religious enthusiasm of the day, he was a benefactor to several ecclesiastical foundations. To the abbey of St. Mary at York he confirmed the churches of Gainford, Barnardcastle, and Middleton, with two oxgangs of land, a toft, and croft in the village of Middleton.* To the abbey of Rivaux he gave lands in Teesdale and Westerdale,† with extensive rights of pasture, and a fishery in the Tees at Newsham,‡ for the spiritual benefit of his Lord, Henry King of England, his parents, wife, and others of his ancestors and relations. He made several trifling grants, from his estate at Hitchen, to the adjacent abbey of St. Albans;§ and, for the health of his soul, Guy Bovincourt,|| a grateful subinfeudatory and perhaps near relation, gave certain lands to the little monastic foundation he had planted in the sequestered wilds of Basedale in Cleveland.

Of EUSTACE BALIOL, his eldest son, who succeeded him, and before 1193, little is known; but that little tells of a retiring and religious character. In 1199, for neglecting the king's precept, to proceed beyond the seas, no doubt to the war in France, he made his peace by a fine of two hundred marcs in silver, to be paid in three instalments.¶ Between 1199 and 1205 he confirmed to St. Mary's abbey at York the advowson of the church of Gainford, with the chapels of Barnardcastle and Middleton; the churches of Stokesley and Stainton, lands in the three latter places, and the tithes of the demesne of Stainton and Stokesley.** He joined his father in his grant of property, in Woodhorn, to the Knights of St. John;†† and in that of an annuity of twenty-one shillings to the Chapter of Christ's Church, Canterbury, who transferred the same in June 1246, to the monastery of St. Albans, for the sustentation of a lamp at the altar of St. Alban and Thomas the Martyr in that church.‡‡ To the abbey of Durham he gave the church of Bywell St. Peter.§§

lect in future. Nevertheless, during the short interval between when Randall saw the same papers which are now in the chest and the year 1776, when Hutchinson published his *Guide to the Lakes*, the Baliol charters had been abstracted, and were then in private hands, from whence he printed them. They were recovered before the publication of his *History of Durham*, when he recited them again, without much attention to their antiquated phraseology; as they have been also subsequently printed by Mr. Surtees. Through the kindness and patient attention of the Wardens of the Six Locks, under which they are now preserved, I carefully transcribed all the ancient documents in the smaller box; but want of space compels me to omit copies of those that have been previously noticed.

* Reg. B. M. Ebor., Appendix p. iii., No. V.

+ Reg. Monast. de Rievall, Cott. MSS., Julius, D. I., fol. lxxi. ‡ Ibid, fo. lxxii.

‡ Regist. Mon. S. Alhani, Cott. MSS., Jul. D. III., fol. 67, 69, 69b.

|| Mon. Angl., vol. i., p. 841. ¶ Rot. de Oblatis, 1 Joh. Northumh.

** Reg. B. M. Ebor.—Appendix, p. i., No. II. †† Mon. Angl., vol. ii., p. 510.

‡‡ Reg. Mon. S. Alb., ut supra, fo. 68.

§§ Surtees, vol. iv., p. 52; see also Hodgson's Northum., vol. ii., pt. 3, p. 90.

HUGH BALIOL, his eldest son, succeeded him about 1212. In this year, from some cause now forgot, probably an infringement of the jurisdiction or *jura regalia* of the See of Durham, he incurred a forfeiture of his property here; as appears from the fragment of a writ entered on the Clause Roll of 14 John,* whereby the King on the 10th of April commands the Archdeacon of Durham, and Philip de Ulcotes, then guardians of the Bishoprick, to restore forthwith the castle of Barnard, and whatever else of his lands and chattels they had detained. In 1215† he answered for 30 knights' fees. It needs little sagacity to delineate his character, or to imagine its effects on his subinfeudatories and dependants, after we learn that he was one of the chief adherents of king John; and together with his brother Bernard, was accounted one of those kindred spirits, who advised and abetted him in his course of pertinacity and error.‡ On the 30th of January, 1216, he received at Barnardcastle, a visit from that monarch, then on his progress to Newcastle; and obtained, by his importunity or loyal attention, the custody of the castle of Whorlton in Cleveland, and the lands and other appurtenances of its lord, Robert de Meynell.§ A month had scarcely elapsed before Baliol rendered him an equivalent service; for Alexander of Scotland, on his devastating invasion to the south, halted before Barnardcastle, and surveyed it round about, as Lambarde quaintly writes, from Matthew Paris,|| "to espie whether it was assailable of any side; while he was thus employed one ¶ within discharged a cross bowe and strake Eustace Vescey (which had marryed his syster) on the forehead, with such might, that he fell dead to the ground, whereof the king and all his nobles conceived great sorrow, *but were not able to amend it.*"

Unamiable and astute as we may reasonably suppose his disposition to have been, the fear or superstition that often haunts such a temperament wrung from him, though in his early days, a confirmation of his father's charter of Gainford to St. Mary's Abbey,** and of Bywell to that of Durham,†† to which he also gave the tithes and oblations of his new essart between Whittonstall and Derwent.‡‡ To Hexham Abbey also, he gave certain property at East Swinburne, in Northumberland. §§ On his Burgesses at Barnardcastle he bestowed privileges more valuable, and, as it has proved, more enduring than these. In the lack of the precious metals and the abundance of land, the number of cattle which each individual pos-

* Rot. Lit. Claus., R. C., p. 129.

† Matt. Westm. p. 91.

‡ Lamb. Diction., p. 44.—M. Par., 276.

¶ "*Conflictu apud Castrum Bernardi corruit ille.*" — *Chron. W. de Hemingford*; XV. *Scrip.* ii. 559.

** Reg. B.M. Ebor.—Appen. III., p. 2.

†† Surtees, iv., p. 52; but see Hodgson's Northumberland, vol. ii., part 3, p. 90.

‡‡ Surtees, *ibid.* ¶¶ Mon. Ang., vol. ii., p. 98.

sessed constituted, in districts like this, their greatest and only wealth; and privileges that tended to their maintenance and augmentation were of all others peculiarly acceptable. From his generosity therefore, or the constrained necessity of the occasion, they obtained from him a large tract of his territory here, near the town; including, according to the terms of his charter,* the whole common pasture, and all the common lands in the east and north parts, bounded by a certain rivulet that flows from Watescarle downwards to Beckdam, and by the road leading from Barnardcastle to Stanhope. The only restriction being that the burgesses should not take from the woods of Wythners, Hankeslave, nor Berlaneker, without the permission of their lord. These woods are now utterly forgot; but Gallowgate seems to tend, most appropriately, to the sanguinary Hankeslave. By another charter,† of which the terms are remembered only through the medium of an inspeximus, which the care or jealousy of the burgesses perpetuated under their seal March 3rd, 1410, he further amplified these privileges. Such, however, has become the changed aspect of society, and so great the extension of rational liberty, that several of these grave and weighty concessions may be perused at this day, by these men's representatives with an incredulous and derisive smile. In this inspeximus it is declared that the liberties of the town were as follows, and, in employing this charter of Hugh as their text, it seems it had comprehended them definitely: that they should have the same free customs as at Richmond; that the burgesses and *their tenants residing in the town* should have common of pasture for all their cattle in his forest of Marwood, without agistment or pannage-rent, and that they might drive their cattle in Hermyre at their will; that each burgess might make and enjoy his furnace, without paying any consideration, unless the lord should erect one, (as he afterwards did) when they should be enjoyed only through his permission; that each burgess should have room for his buildings before the door of his house, and might collect dung from thence to the centre of the road; that they and their heirs should enjoy these privileges in fee and inheritance; and, lastly, that they should grind their corn grown in the field of Barnardcastle at his mill, at the moderate profit of a sixteenth mulcture, and that his baker should bake their meal for a halfpenny, and find fuel for the furnace.

How much of generosity or merciful consideration was recognised

* The original document, written in a fair hand, is deposited in the Oak-box in the Town's Chest. (No. 2.) It is printed in Surtees, vol. iv., p. 71, and in Hutchinson vol. iii., p. 282, with an engraving of the seal.

† This document, which is written in a rude and contracted style, has a small oval seal of green wax, bearing the figure of a crocodile.—(No. 5.) There is a later copy of this record deposited with it.—(No. 6.) Printed in Hutchinson iii., 291; and Surtees iv., 71.

and conveyed in these privileges, may be most effectually felt and estimated by a knowledge of the fact that they ameliorated the unalienable misery of days, when the total amount of a burgess' goods might not frequently exceed the value of thirty shillings; and of this, even taxation could at once deprive him of a tenth: and that, the necessary constitution of the times was such that most men had not freedom in the now trifling matters of grinding their corn, or baking their bread, or brewing their beer, or shoeing their horses, or depasturing their cattle; that they could not sell their goods, or dispose of their lands, or even marry their children, without the intervention of their feudal lord. How appropriately then does it not become those whose forefathers lived and died, generation after generation, under this yoke, to remember these things in their light estimate of the liberties they enjoy; for, though we feel it no more, the system is not yet extinct.

This Hugh, on the union of his daughter Ada with John Fitz-Robert, severed the barony of Stokesley, with Lynton in Northumberland,* from the paternal inheritance and gave them to her in frank marriage.† The former comprehended a district similar to that of Barnardcastle, exhibiting a range of moorish mountains, and a forest that stretched deviously up the fells of Basedale. He died in or before the year 1228, having continued to the end of his career what Dugdale calls "his wonted course of plundering."‡

JOHN BALIOL, his son, succeeded him in his possessions, and in this year paid 150*l.* for his relief of them.§ He attached his powerful interest to the cause of king Henry, as his father had espoused that of John; but, on his marriage, in 1233,|| with Dervorguil, the heiress of Galloway and ultimately eldest coheir to the Scottish crown, his attention was attracted to that realm by more absorbing interests and stronger ties. On the marriage of Alexander III.¶ he was appointed, with Robert Ross, regent of the kingdom; and exercised more actual sway without the sceptre, than his unfortunate son could attain in its possession: but his discretion failed him, and for alleged abuse of his office, and particularly his harsh treatment of the young queen, he, together with his colleague were deprived,** 20th September, 1255; and escaped further punishment only by reminding king Henry of his father's services to John, and the more eloquent appliance of a pecuniary fine.††

The king was fortunate in his clemency, and appears subsequently to have relied much on his gravity and valour; inasmuch, that soon

* Test. de Nev. 388, no. 747, Northd.

‡ Baron., vol. i., p. 523.

|| XV Script. vol. i. p. 201.

** Pat. 39 Hen. III., m. 2, Rym. Fœd., vol. i., pt. 1, p. 329.

†† Hist. Matt. Paris, 907-8.

+ Plac. de Quo Warr., 7, 8, 9 Edw. I., Ebor. Rot. 6b.

‡ Rot. Pip., Essex & Herf., 13 Hen. III.

¶ Mag. Rot. Scot., Rym. Fœd., vol. i., pt. 2, p. 771

after this disgrace he sent him as one of the ambassadors to France.* Dugdale,† citing the Clause Roll of the 47th Henry III., states that he refused to submit to the Constitutions of Oxford; and that thereupon the Barons seized and detained his lands, until, by the King's permission, he sent his son to undertake for him therein. He swore with the king not to detain the child of the queen of Scots in 1260,‡ to observe the peaceful ordinance of Louis king of France in 1264,§ and shared with him the victory at Northampton,|| and the defeat and captivity at Lewes.¶ Hence he was speedily released, and again stoutly persevered in the cause of his royal master, whose mandate** to return and treat concerning Prince Edward's liberation, he, with Eustace Baliol and some other northern barons, refused to obey, until the writ was made peremptory, and a safe conduct,†† dated 17th January 1265, was granted to them, with a provision for the protection of their property during their absence. On the grand levy of the military tenants of the crown at Northampton, he was selected to meet them in the absence of the king, and explain the conduct of the barons, who held out in the fortress of Kenilworth.‡‡ He was also one appointed to put the "Dictum de Kenilworth" into execution.

In his time the lands, granted by his ancestors to the burgesses of Barnardcastle, appear to have interfered with an extension of his park; for, by charter still remaining,§§ he granted them another part in exchange for that which he had thus enclosed; but, with the exception that the grantees should neither cut dry wood nor green, nor dig in the Turbary, nor make pits on the moor. To the enjoyment of this new tract||| he created, in addition to the old burgesses, the free tenants residing in and belonging to the borough; the tenure being "in feodo et hereditate libere quiete et integre in omnibus sicut tenent aliam communem pasturam suam." By these grants Hutchinson, who was familiar with the district, says a wide tract of country, the eastern boundary comprehending 9000 acres of excellent ground, the western boundary 700 acres of land capable of high cultivation, were conveyed and assured for ever.

* Rot. Pat. 43 Hen. III., m. 11, n. 24.

† Baronage, vol. i., p. 524. The printed Calendar of the Patent Rolls indicates under this year, m. 5, n. 14, some further information on this point, which I have not at present the opportunity of consulting.

‡ Pat. 45 Hen. III., n. 37; Rym. Fœd., vol. i., pt. I, p. 403.

§ Rym. Fœd., ut supra, p. 434.

|| Knighton, X Script., 2447.

¶ Matt. Westm., 387.

** Rot. Pat. 49 Hen. III., m. 26, n. 109.

†† Rym. Fœd., vol. i., pt. 1, p. 450.

‡‡ Pat. Rot. 50 Hen. III. n. 39; Ry. Fœ. l. 467.

§§ There is a copy of this document, which is written in a minute and elegant style, in Surtees, vol. iv., p. 71; and in Hutchinson, vol. iii., p. 284, with an engraving of the seal.

||| The western boundary extended from Roger Cross, by the (park) wall, up to the Saltary under Stanley. It diverged then towards the Egglestone road, adjoining to Backstone gate on the north, thence along Egglestone road to the west foot of East moss-mire bridge, and so to Blackdene on the north, where it joined the old common bounds. The terms of the charter are more minutely expressed in an old Perambulation, printed in Surtees, vol. iv., p. 77.

The martial spirit of his race was accompanied in him by rarer qualities of the head, and dignified by better qualities of the heart. His own age honored him as a warrior and a statesman; his name has descended to us as a friend of literature, and a benefactor to mankind. For some time previous to his death he had given annual exhibitions to certain poor scholars at Oxford,* and had intended the settlement of lands for their permanent maintenance; but that event prevented his design, and it was left for his widow to establish that noble foundation, which still perpetuates and honours his ancient and illustrious name. It is said also that he founded in 1230† the Hospital of St. John at Barnardcastle, whose ample funds remain unimpaired, though susceptible of more extensive and beneficial application.

The decease of this great man occurred about 1269. Previous to his interment his wife, who seems to have had a rare affection for his memory, caused his heart to be extracted and embalmed, and enclosed in a coffer of ivory,—

Enamel'd and perfectly dight;
Lock'd and bounden with silver bright.

which Wyntown relates in his "Cronykyl,"

<p>Alway when she yhed till mete That cophini she gart by her sett, And till her lord as in presens Ay to that she did reberens;</p>	<p>And there she gert sit ilka day As wont before her lord was ay. All the coursyes cowerpd welle Ento sylber bricht weschelle.</p>
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and after her death it was placed, according to her testament, on her heart, as she rested by him, in the Abbey of Sweet Heart, she had founded in Galloway; so that, according to the beautiful and touching custom of still elder days, those pulses that had beat with such affectionate sympathy on earth, should moulder together in the grave.

"They lived united, and united died."

Though thus happy and fortunate in their affection, the day of their union entailed a checquered fate on their posterity, and eventually sealed its doom.

"Ille dies lethi primus, primusque malorum
Causa fuit———"

Many a fair domain and fertile tract passed from her rich inheritance to the already wide possessions of Baliol. Thus they derived the county of Galloway, with the castles of Botel and Kenmore, the castle of Fotheringay, the manor of Kemstone in Bedfordshire, and others of less note. Every pleasing variety of climate, every pic-

* An interesting account of this Foundation was published in 1668, under the title of *Ballio Fergus*, by H. Savage, then Master of the College. There are also some condensed notes on it in *Surtees*, vol. iv., p. 61.

† *Mickleton's MSS.*, in *Hutchinson*, iii., 277.—*Randal's MS.* note in *Spearman's Enq.*, 48.

turesque change of scene—from the sunny plains of France, to the rugged hills of Scotland—was secured to their enjoyment; but, they had attained too lofty an eminence to enjoy it long in peace.

HUGH BALIOL succeeded his father in the Barony of Gainford and Barnardcastle, and the solitary record of his disposition suggests the idea that his possession of it was as brief as it was unworthy. His father's executors, after complaining that he never paid them the 10*l.* he owed them for two horses, remarked,* “had he been just to his father's eleemosynaries, heaven might have blessed him with longer life.” He submitted, on the part of his father, to the Constitutions of Oxford,† and accompanied him to the battle of Lewes.‡ Seven years after he died,§ being about thirty years of age; when Alan, the next brother being dead,||

ALEXANDER BALIOL succeeded to his possessions, yet to enjoy them only but a short time.¶ He confirmed,** however, to the burgesses of Barnardcastle their liberties, according to those of Richmond; and, as contained in Hugh Baliol's charter, together with the common pasture in Marwood, as meted in that of his father; the restriction as to the Turbary being apparently waived, but that of Hugh against cutting wood in Withners, Hankselave, and Birlaneker specially reiterated and confirmed. The name of his wife, Eleanor de Geneve suggests the probability that she was connected with some of those foreign adventurers, who, as friends and attendants, accompanied the Queen of Henry III. to this country; and more particularly since it is recorded that, on his marriage, the Queen Alianor enfeoffed them, in frank marriage, of the manors of Mitford, and Felton in Northumberland, with remainder, on failure of her issue, to the Crown.†† He died childless in 1278,‡‡ so that this vast inheritance devolved on the youngest and only surviving brother,

JOHN BALIOL, then twenty-eight years of age. Of the time and place, and circumstance of his birth, and the pursuits§§ of his early

* Ballio-Fergus, p. 24.

+ “He sent his son.”—Dug. Bar., i., 524.

† Hutchinson, iii., 267.

‡ Inq. p. m., 56 Hen. III., n. 26.

|| *Petitio Joh' de Balliolo*.—Rot. Mag. Scot.; Rym. Fœd., vol. i., pt. 2, 779.

¶ He was summoned by writ addressed “*Alexandro filio Johannis de Balliolo*,” in contradistinction to Alexander Baliol of Chilham, with whom Dugdale and others have confounded him, against Lewelin Prince of Wales, 12th December, 1276.—*Rym. Fœd.*, vol. i., pt. 2, 538.

** The charter written in a bold and large character, is deposited in the Town's Chest, and printed in Hutchinson, vol. iii., p. 287; Surtees, iv., 72. Though the seal has been preserved in a linen bag, it is crushed into irretrievable particles.

†† *Placit. de Quo. Warr.*, 21 Edw. I., North'd, Ro. 2, R. C., p. 587.

‡‡ Inq. p. m., 6 Edw. I., n. 25.

§§ Mr. Raine has drawn my attention to the interesting fact, that John Baliol was educated at Durham School. It comes out in the course of a dispute which arose between the Prior of Durham and Lord Neville in 1290, respecting the offering of the Rahy Stag. “*Invitaverat Ranulphus de Neville multos ad veniendum secum, et cum Dominum Johannem de Balliolo apud Castrum Bernardi invitasset respondit se in scholis Dunelmensibus diutius perstitisse,*

years, all is alike forgot; and he might have passed on to the grave untroubled and undistinguished, had not the death of the Princess Margaret, of Norway, cast on him the obligation of supporting the right, he derived from his mother, to the Scottish crown. According to the doctrine of descent as now recognised, and the admission of principles of primogeniture as then all but established, this birth-right would in a less turbulent and warlike age, have invested him at once with the sovereign dignity; but his lot was cast on days when brute force could overwhelm the inestimable rights of justice and of truth; and he was destined to furnish another to superabundant warnings, oftener remembered than believed, how unavailing is the attainment of the most dignified and affluent estate, even, though it be the possession of a crown.

The Maid of Norway died on her passage to her realm of Scotland, at the Orkney Isles in September 1291;* and with her the succession of the crown, as limited by the Parliament in 1284, terminated, and became open to the claims of several persons; the most interested and powerful of whom were John Baliol, and Robert Bruce; who, it is remarkable, were lords of large possessions, nearly adjacent in the Bishoprick of Durham; and the nature of whose claims are familiar to all readers of our history. Fraser, Bishop of St. Andrews, and Sir John Comyn of Badenach, then acting Regents of the kingdom, favoured the cause of Baliol, and aided by that part of the "Communitas" of Scotland that remained attached to them, would have placed him on the throne, had not the seven Earls of Scotland, an ancient constitutional body† who claimed the right, with the Communitas of the realm, whensoever that should become vacant, *de facto* or *de jure*, of constituting the king,‡ and conferring upon him the regal honours, interfered and appealed to the king of England; not as a learned and just arbitrator, but as their lawful supe-

nec unquam se audisse quod illi de Nova Villa taliter quid in prioratu clamare possent, et propter hoc secum venire noluit.—*Surt. Soc., Hist. Dun. Scrip.*, p. 74.

* Matt. Westm., p. 414.

+ Vide "Documents and Records illustrating the History of Scotland," and especially this important period; edited with extraordinary care and legal acumen, by Sir Francis Palgrave, from the originals in the Treasury, under his custody.

‡ It may not be improbable that the ancient powers of this body had long remained unexercised; but that Bruce finding those of whom it was composed friendly to his cause, he availed himself of their peculiar influence. They do not seem, by Bruce's own account, to have taken any part as a distinct and franchised body, in the parliamentary recognition obtained in his favour by Alexander II. Indeed, they are not recited as having been consulted, or even as being present; nor are they recognized in their important capacity during all the subsequent cautious and formal proceedings of the English King. Edward does not even state, or intimate, in his address to the convention, that he had been appealed to by a constitutional body, possessing powers so materially connected with the business that was about to occupy their attention. If their power had been in its plenitude, and its principle notorious and indisputable, it may be presumed, and especially since they boasted that the majority of the Communitas of the kingdom adhered to them, that they would have exercised it, saving to Edward, what seemed best to belong him, the Competitor's right of appeal.

rior against this infringement of their privileges. As far as can be discovered and inferred, this body favoured Bruce, and, with their appeal, was transmitted to Edward's council his own personal complaint against the maladministration and intention of the regents. But this was not all. He seized this, it seems, as a favourable opportunity to add also a deduction of the rights* under which he himself claimed the crown; and to avow that he acted thus in order to inhibit the election of the regents until he had fully received judgment from king Edward, which judgment he would in nowise receive from them. Prior to this, and before the Maid's decease was certainly ascertained, the regent, Fraser, had written to king Edward, representing to him the distracted state of the kingdom, which, in the event of her death, might be ameliorated by his presence; and desiring, that if Baliol should come to him he should so deal with him, that under any circumstances the royal honour and advantage should be maintained.† In execution of his ancient authority, as Basileus or Emperor of the isle, Edward, whose project of uniting England and Scotland by the marriage of his son, had just failed, approached the Borders; and, with a large army, settled at Norham on the 10th of May, A.D. 1291. It is not certain what previous correspondence had passed with the regents of Scotland; but his first step was to require from them and the competitors their recognition of his right as Lord Paramount of Scotland, and that his judgment should be held and pronounced in that character. This authority, in the only sense in which he actually possessed it, no one seems to have denied. Bruce and the Earls in their appeal acknowledge it, not only on their own parts, but on that of the majority of the *Communitas* of the kingdom. The Regent, Fraser, confessed it in his memorable epistle to Edward; and thus assented in the absence of all contrary proof, both Baliol‡ and his friend and relation the other regent Comyn,§ who avowed he would do nothing to prejudice Baliol's cause. The truth seems to be that Edward, whose mind had been just excited with the hope of uniting the kingdoms, judged this a favourable opportunity of reducing the

* Docum. and Rec. p. 18; Introd. xv.

† Rym. Fœd. i, 741; & Palgrave's Comment. ut sup., p. xiv.

‡ It is recorded, too, of Baliol alone, in "the Great Roll of Scotland," yet in the Treasury, Edward's authoritative memorial of this solemn controversy, that on his first appearance at the Convention, he assented, "*congruâ deliberatione præhabita*."—(Rym. Fœd., i., 764.) This peculiar clause may have been prospectively added to shew that his—the act of so much importance—was not done without due circumspection and deliberation; yet, there are those who may, nevertheless, suppose that the cautious superintendent of the scribe has thus obscurely recorded some desultory discussion or expostulatory conversation on the nature of the submission. The original records discovered by Sir F. Palgrave shew that inconvenient matter was, more than once, suppressed in the compilation of the Great Roll.—Doc. & Rec., ut sup., lxxvii and xciv.

§ Doc. and Rec., p. xii; and Rym. Fœd., i., 776.

honourable dependance of Scotland to a feudal tenure, with all its oppressive incidents; and though he abstained publicly, among all his proofs and assertions, from explaining the nature of his authority, the States then suspected his intentions, and demurred,* naturally, for some time, to a proposition which otherwise they could not have attempted consistently to have denied; but, preferring probably what they might justly consider an honourable domination to certain anarchy, they at length acceded. After many meetings and proceedings, which seem intended rather to establish and confirm Edward's authority than to settle the disputed question, he received the petitions of the several competitors; and, after a progress in the southern parts of the kingdom, where he received the compulsory† homage of the nobles, clergy, and people, as he had previously that of the parties more immediately interested, he adjourned the Court until next year, and departed for England. On the 14th of October, 1292, this dignified and very memorable assembly again met at Berwick - on - Tweed; when, the case resolved itself into a question between Bruce's right of propinquity and Baliol's of primogeniture.‡ Some further legal propositions being subsequently decided in Baliol's favour, the English king—on Monday, the 17th of November, in the Great Hall of the Castle at Berwick, in full parliament, and in the presence of all the Commissioners and an imposing array of the chief persons of both realms—gave judgment§ that John Baliol should have seisin of Scotland; accompanied by the significant admonition to him and his people, that he should so minister justice as to avoid that appellate jurisdiction and control, of which he, as superior lord, claimed the exercise in future. The appointment of a day for the performance of his fealty and homage, and an injunction to sue out his writs of seisin of the kingdom, completed the reduction of Scotland to a fief of England.

Baliol accordingly swore fealty at Norham, November 29th,|| and was crowned at Scone on the 30th of that month, being the last monarch of Scotland, who sat therein, on the fatal stone—John St. John, by Edward's appointment, performing the inauguration in the stead of Duncan son of the Earl of Fife, then in his minority; ¶ assisted by Beck, Bishop of Durham.** On the 26th of December he did homage at Newcastle.††

It has been said Edward originally intended to have decided in favour of Bruce; but that Warren Earl of Surrey, in whom Edward

* Rym. Fœd., i., 763.

† Rym. Fœd., vol. i. p. 777.

‡ Rymer, 781.

•• Doe & Rec., 141.

† Ibid. vol. i., p. 774.

‡ Ibid. 780.

§ Rot. Scot., vol. i., p. 11.—Rym. Fœd. 785.

†† Rym. Fœd., 782.

had great confidence, and Anthony Beck the warrior Bishop of Durham, persuaded him in favour of Baliol.* Natural affection might prompt the services of the former, since he was father-in-law to the expectant monarch; but, the prelate was influenced by more substantial motives; and it is now discovered, from the inquisition † taken after Baliol's forfeiture, that a retainer, in the gift of Long-Newton and Newsham, two detached portions of the Barony of Gainford that had caused the see much contention, and were worth probably about 50*l.* per annum, went thus far to secure Baliol the throne.

Whatever might have been originally the intention of Edward towards Scotland in general, or his motive in deciding in Baliol's favour, it was now evident he intended nothing short of the reduction of the kingdom to a province of England. If he had distinctly evinced this intention at an earlier period he might have aroused the indomitable spirit of that impetuous nation; though, it is doubtful how far each competitor, or his partisan would have deferred his ambition or his interest to his patriotism. But, having gained, on whatever grounds, and by whatever asseverations, from those in whom the regimen of the kingdom was legally vested, a recognizance of his assumed feudal right of Lord Paramount of the kingdom, he thereby reduced it to a fief of his crown, by the unsuspected incidents of which, it might be forfeited and lost by the rebellion and misconduct of the regal vassal. To accomplish this end in the most insidious and plausible manner, he entertained several judicial appeals from Scotland, and summoned, not the constituted legal authorities of the realm, but the king himself to answer them personally before him. Presuming, doubtless, this humiliation was but a service incident to his new tenure of the crown, he appeared twice; but, when he saw it was not the end or consequence of law and justice, or the degradation of himself, but the enslavement and subjugation of his people that was intended, he sought to shelter them forthwith from further insult and domination.

The king of France was at that time at enmity with Edward; and with him a treaty of mutual aid was signed, 23 October 1295, ‡ and strengthened by the promise of marriage of Baliol's son Edward with the niece of the French king—the one power hoping to detain Edward in his contention with Scotland, the other, perhaps, distrusting the loyalty or efficiency of his own national forces. There was also perhaps some personal interest secured to John by this measure. He had already lost his lands in England; those in Scotland seemed

* It is discovered, by the Regent Fraser's letter to Edward, that both Beck and Warren were present in Scotland when the rumour of the Maid's death was circulated, and having heard a contrary report, took measures, in concert with him, to ascertain the truth.

† E Reg. Kellawe, Ep. Dun.; Appendix LIV.

‡ Rym. Fœd., vol. i., 822 & 830.

of uncertain tenure; but his territories in France might still remain a refuge, and prove, as they ultimately did, that Philip's appellation in his treaty, of "Liege Lord," was no empty sound.

The efficacy of Baliol's oath of fealty being dispensed by the Pope at the mediation of the king of France, he invaded England on the part of his new ally; but was signally defeated at Carlisle, in March 1295. Edward, cognizant of the fatal treaty, had, in December, summoned his forces to proceed against him, and now marched forward with ardent and joyous heart, undisguisedly to the conquest of Scotland. He appeared before Berwick castle, one of the fortresses previously covenanted to be delivered to him, on the 30th of March, and the same day entered it with great ferocity. Here came to him on the 5th of April, the superior of the Friars Minors of Roxburgh, with another monk, and in the Hall of the Castle boldly delivered to Edward, Baliol's renunciation of his homage,* both for his kingdom and his lands in England; wherein he assigned, in forcible and emphatic language Edward's commission of many grievous and intolerable injuries against religion, justice, and their liberties; his vexatious citations on frivolous complaints, his unjust detention of his subjects' lands in England; his caption of their goods both by sea and land, his murder of Scottish merchants and inhabitants, his abduction and imprisonment of Scottish subjects—injuries often complained of but never redressed—as causes which, with his present hostile aspect and warlike intention, had induced him to arrive at that determination. An appeal to the sword was Edward's willing recourse; and, on a report that the Scots had besieged Dunbar castle, which was fortified for him by the earl of March, a quondam competitor for the crown, he despatched earl Warren thither with 10,000 men. When he arrived the Scots were in possession; but the main army coming up on the 26th to their assistance, he, next day, after a tremendous conflict wherein the Scots fought with great valour, routed them with a loss of 10,000 men. The castle surrendered to Edward on the 29th, and with it Baliol's chief generals, the earls of Athol, Ross, and Menteith, his nephew Sir John Comyn, Jun., and others. Though the French allies came not, Baliol still resisted.† The English marched on to take possession of Roxburgh and Jedburgh, two of the castles originally demanded of him for his contumacy. Dumbarton also surrendered; Edinburgh resisted stoutly but unsuccessfully; and the defenders of Stirling ran away, and left only the porter with the keys.‡ Finding himself deprived, by treason of his legitimate forces, and by misfortune of his councillors and associates,

* Rym. Fœd. i, 836.

† Knighton de Event. Ang., X. Scrip. ii., c. 2480.

‡ See a valuable and authentic Diary of Edward's campaign, ably edited by Sir H. Nicolas, in the *Archæologia*, vol. xxi., p. 478-498, from a MS. in the British Museum.

the unfortunate king was at length persuaded, by Comyn of Strathbolgi, to make his submission to Edward. The process by which this was effected is uncertain, and worthy of more enquiry than can be bestowed here. There are letters patent, I know not of what authenticity, under his great seal, dated at Kincardine July 2nd, 1296, printed in the *Fœdera*,* from the original in the Treasury, whereby Baliol confesses what Edward considered his crimes, and renders up the kingdom to him. On the 7th of that month—in the presence of the Bishop of Durham, the Earl of Hereford, Sir John Comyn of Buchan, Sir Hugh le Despenser, and Sir John Comyn, sen., of Badenach—he again acknowledged his offences, which declaration, according to an extant copy† in the British Museum, is said to have been “actum in cimeterio de Strouk Atherach”—a place which the tradition of the country still points out as the scene of his humiliation. Three days after, according to the copy of another record,‡ “actum in Castro Brechinen,” he resigned his kingdom to the pleasure of the English king, in the presence of the Bishop of Durham, Sir John Comyn, sen., of Badenach, Sir Bryan Fitz Alan, knt., and Master Alexander Kennedy, clerk of the said king John. Finally, being brought before the king in the castle of Montrose, and despoiled of his crown, sceptre, sword, mantle, ring, and other regal adornments, he, for very fear of his life, as it is particularly recorded,§ confessed what Edward imputed as his chief offences; and then, by the delivery of a white wand,|| resigned all his just and hereditary right to the crown and realm of Scotland, into the hands of his cruel and unjust oppressor, the king of England.

Fate seems to have woven o’er him her last and darkest web, when he and his eldest son were conveyed away captive, by sea, to the Tower of London.¶ He remained in prison three years, until he was delivered at Witsand, in France, 18th July 1299,** by

* Vol. i, p. 841. Bisset charges Edward with having forged the letters of resignation, and of appending the great seal of Scotland thereto. In the Notarial Protocol, (Doc. & Rec., 150) testifying the reasons of Baliol’s forfeiture and his surrender, it has been discovered by Sir Francis Palgrave, that the passage which recites his surrender to have been by letters patent under his regal seal is cancelled; and the surrender is then said to be recorded by a public writing under the hand of Master Andrew de Tong, a notary-public.

† Harl. MS., 1244, fo. 439b.

‡ Ibid.

§ “Vi et metu vite ductus.”—Fordun. l. xi., c. 26.

|| Dugdale narrates, from the Chronicle of Walter de Wittlesey, that Ralph, earl of Chester, delivered Henry III. seisin of the kingdom, as his inheritance, by a white wand, instead of a sceptre.—*Baronage*, i. 42.

¶ Drake’s Hist. Ang. Scot. In the Cott. MS., Jul. A. v., is a rude illumination that seems to represent this voyage. Two figures crowned, one apparently a lady, sit at one end of the vessel, with four other persons uncovered. Another man bareheaded is rowing with a red oar at the other end. On the opposite page is a poetic composition, in the character of the earlier part of the fourteenth century, beginning:

Ecce dies veniant Scoti sine principe sunt,
Regnum Balliolus perdit, transit mare solus.

It is printed in Mr. Wright’s “Political Songs.”

** Rym. Fœd i., 909.

Sir Robert de Burghersh, constable of Dover, to the Bishop of Vincenza, the Legate of Pope Boniface, who had interested himself in his fate, at the instance, it would seem, of the king of France, and obtained his liberation, with power to ordain concerning his person, and his English lands.*

He then, or very soon after, retired to his castle at Bailleul.† The regents of Scotland, including Bruce, still acted in his name,‡ and he himself still used his empty title of king; but, either from a fear for the safety of his son, who was detained as a hostage in England,§ or unwilling to trust to the loyalty of the Scots, he satisfied himself with peaceable remonstrance through the medium of his chief friend the king of France, at whose court some of his main adherents were settled in 1303.|| The aspect of affairs soon after denied him the hope, and his age and misfortunes, it may be hoped, taught him the inutility of further rule in his ancient dominions, so he remained peaceably, if not contentedly, in Normandy; and there, in some locality that is unremembered now,¶ when the glory of his diadem had thus faded as a coronal of summer flowers, and

“The uncertain pleasures of swift footed time
Had ta'en their flight and left him in despair,”

a solitary, blind,** languishing old man, he departed for ever from a scene,

“Where riches have wings and grandeur is a dream,”

* *Rym. Fœd.*, vol. i. 864-891; vide et *X. Script.* ii., c. 2476.

† His appeal to the king of France, under the style of “Jean de Bailleul, Roy d’ Escocce,” is “donné à Bailleul le jour de feste St. Clement, l’ an de Grace MCCCII.”—*Rym. Fœd.* i., 946. In the treaty made between France and England in 1301, the English ambassadors protest against the French nation styling Baliol king of Scotland, as they are wont.—*Rym. Fœd.* i., 937.—*Palgrave’s Doc. & Rec.*, cxxxiv., 241-250.

‡ 13 Nov. 1299.—*Rym.* i. 915.

§ Vide *Rot. Pat.* 4 Edw. 11., pt. i, m. 14.

|| Paris, 8 Kal. Junij.—*Rym.*, vol. i. p. 955.

¶ Chateau Gaillard has been generally considered to have been the place of his retreat and decease; but, I am informed, through the kindness of that accomplished antiquary, Thomas Wright, Esq., that Deville, in his History of that place, says that this statement is quite false, and appears to have originated in an incorrect citation of the passage from the Continuator of Guillaume de Nangis, (*D’Acher’s Spicileg.*, vol. iii, p. 97) where it is recorded that young David Bruce retired to Chateau Gaillard, when Edward de Bailleul was placed on the throne by Edward III. It is stated in the *Art de Vérifier les Dates*, vol. xvii, p. 258, 8vo edition, that the time of his death, and the place of his retreat are subjects of dispute, but there can be no doubt of his having retired to *Mons en Vimeu*, of which he was lord, before being brought forward as a claimant for the Scottish crown. The writer of the article however adds, that his epitaph is still to be seen in the church of St. Waast, at Bailleul-sur-Eaune, whether it may be the place of his first burial or his second, (soit que ce soit le lieu de sa première sépulture ou d’une seconde) by which it appears that he died on Saturday, in the month of April, but the remainder of the date is effaced. What authority existed for supposing a second burial to have taken place is not mentioned; but the certain fact of his having resided at Bailleul, and the presence of this inscription, go far to prove that he died and was buried there. It is likewise observed in this work that he appears, by documents, to have been engaged in a dispute at law with the Comte de Ponthieu in 1311, which was long subsequent to the date given by ordinary writers as that of his decease.

** Drake’s *Hist. Ang. Scot.*

it may be, purified by its fiery trial, for a serener realm and a brighter crown.

The character of John Baliol, like that of most other unfortunate and unsuccessful princes, has been open to much unjust and ungenerous animadversion. He has been accused of betraying the liberties of his subjects, and personally of exhibiting a cowardly and unmagnanimous demeanour. Yet,—since with the majority, whether judging of the present or the past, success is hailed as virtue, while misfortune is branded as crime—it may be well to consider, if even here ineffectually and thus obscurely, how far interested were his accusers; and what justice in that chivalrous day would be meted by uncongenial minds, to one, who it seems was more meek and beneficent than impetuous and warlike; more inclined to the society of clerks than of knights; more conversant with the powers of reason, than of the sword. The accumulated obscurity of six centuries is but a dense medium wherein to view the stronger shades of character, moulded by circumstances and causes on which no actual light is thrown; and which can only be faintly illumined by records and documents, framed cautiously and systematically for legal or diplomatic purposes. Something of this character may, however, be inferred from those few but important recorded actions, which must have been dictated by something more than casual circumstances, or inconsiderate inclination. If anything of hereditary qualities was transmitted from his parents, and fostered and directed by them to the formation of his disposition, he had a father who was liberal-minded and brave, and a mother whose piety and benevolence were the admiration of her own, and the benefit of succeeding ages. Of the pursuits of his early days we have no particular record; but, since he was not then apparently destined to enjoy the great military inheritance to which he at length succeeded on the decease of his elder brothers, the rich and powerful Dervorguil might not inaptly extend to him her protection and her home; and to his mental and spiritual nurture she, who then contributed to the direction of so many, would, we may be assured, never be careless or indifferent. The foundation of a chapel at Piercebridge; the confirmation of his parents' Collegiate Institution at Oxford, that was disregarded by his brothers; his selection of an especial number of dignified clergy to act among his assessors, on his competition for the crown—even these incidents may indicate to many, and demonstrate to some, that he was influenced by the dictation, if not of purely religious, yet of serious and moral emotions: a tendency to which, the place of his education, and the doctrinal system of his tutors, might not ineffectually minister. A mild and christian-like spirit is discernible in those extant diplomatic compositions, which, if not written by his

hand, or under his immediate dictation, must have proceeded in spirit from his suggestion, and in substance must have met his approval. In his eloquent renunciation of his homage he emphatically objects first to the outrages committed against morality and religion. His appeal to the French king breathes the same admirable spirit; and it may also be remarked that, at a time when justice dictated, and circumstances commanded the renunciation of his solemn fealty, he sought and awaited the dispensation of him, who, he was taught to believe, could effectually blot out on earth what was registered in heaven. Between his temperament and his talent there might be, and probably was some disparity; but the greater part, if not the whole of the obloquy that has been cast upon him, seems to have been propagated by ascribing to his personal cowardice those humiliating submissions, which the estates of the realm had, by their indiscriminate and unconditional acknowledgement of Edward's paramount authority, attached to the tenure of his crown. A principle was thus represented in, and necessarily carried out by, his person, that has ever since been humiliating to the people of Scotland;—a section of whom, in his own day, clamoured against him from interested and treasonable partizanship; and others, since, because they found it more convenient to make their humiliation a personal rather than a national act; and to cast the blame on the one man, who, with a pardonable and natural deference of patriotism, received a splendid and undoubted, but otherwise unattainable inheritance, with diminished lustre, rather than on the regent representatives of the realm, who, unpatriotically, and with no defensible motive at all, consented to its surrender under no definite condition. It was not virtually from his election and consequent submission that the kingdom was involved in centuries of commotion and aggression. Every other competitor, even the “immortal” Bruce, made the same submission, swore the same fealty, and declared they would, if they might, receive the crown on the same conditions as he. Edward's end was to be gained, and would have been gained, with each. He seemed to threaten like the furies of Æschylus,

ἐγὼ δὲ μὴ τυχοῦσα τῆς δίκης
Βαρῆα χάρα τηδ' ὀμιλήσω πάλιν.

The means might have been more protracted; the end more certain and severe. The relinquishment of the treaty of Northampton, founded on an alliance invalid and unconsummated, could not diminish the liberty or security of Scotland, which had then acknowledged itself a fief of England; nor, did the memorable appearance of its king before the English parliament produce any national or unreasonable concession. We may be both just and generous in

ascribing that appearance, wherein he deferred his royal dignity to what appeared a religious obligation, from a desire to conciliate and temporise, when he too well knew that treason would be in his camp, as interest was in his council.* He might indeed lack that brutal spirit that impelled Bruce to imbrue his hands in his kinsman's blood before the altar of his God; and that regal magnanimity that condemned Wallace to his doom: yet, courage was never wanting when its presence would have been successful; nor ceased he to resist until all resistance was unavailing. The appellation, too, from whence his cowardice has been imputed, or more probably, suspected, was, with an unamiable feeling easy to understand, applied to him only *after*† the adornments of royalty were removed from him; and at best can be deemed but of doubtful interpretation. But, whatever was his capability or his disposition, it will tax our credulity but little to believe that, in an age when the effusion of human blood was but lightly regarded, he was guiltless of the foul crimes that stain so many of his contemporaries.‡ That, from malice to his king, and by treason to his country, he never sought, like Bruce, to wade through slaughter to a throne, nor like Edward, in the exercise of his sovereign authority, to shut the gates of mercy on mankind.

When the imagination would invest with its airy forms the heroic characters of the past, it may not inaptly linger long on the last days of this "dim, discrowned king." Divested of the emblems of the sovereignty he had enjoyed; defeated in his expectation of transferring his sceptre to a posterity that should maintain his name among the potentates of the earth; separated by distance and by death from the associates of his youth, and the partners of his expectations; oppressed by bodily suffering, and unsoothed by domestic attention—how often, in that solitary and benighted gloom, as the old man sat in the chateau of his humbler, but happier forefathers, how often must

"Memories of power and pride, which long ago,
Like dim processions of a dream, had sunk
In twilight depths away"—

memories of ingratitude, or contumely, or treachery, have compassed

* King Edward, in his complaint against the wicked and perfidious Wisheart, Bishop of Glasgow, says, it was he who instigated Baliol to ally himself with the king of France; and that it was notorious as well in England as in Scotland, that the war against the former was caused principally by the aid and assistance of the Bishop, who was continually helping and exciting Baliol to commit as many ravages and enormities in England as he could.—*Doe. et Rec.* clxxiii, and 341. It is said int. x *Scrip.* ii., c. 2476, "*Consilio quorundam de Scotia ac potissime Abbatis de Menrose, contra fidem &c., surrexit.*"

† "Tyne-Tabart he was callyt *afterwart.*"—*Wymtoun's Cron.*

‡ The real feeling of the younger Bruce towards Baliol is indicated in a charter to the Abbey of Scione, wherein he ratifies such profits as they enjoyed, "*tempore bonæ memoriæ*

PEDIGREE OF BALIOL, BARONS OF GAINFORD, &c.

ARMS.—Gules, an inescutcheon voided argent.

This blazon is thus assigned in a roll compiled about the time of Henry III. (*Lel. Coll. ii. 613*) to "EUSTACHE DE BAILLIL," as *de goutes a un faus eschochin d'argent*; and in a roll of the bannerets of England, compiled about the time of Edward II., to "SIRE JONAN DE BAYLOL" of Northumberland, as *de goul a an escucheon persee de argent*.—*Cott. MS.*, Calig. A. 18; printed in Palgrave's *Parl. Writs*, vol. i. p. 420. There appears also among the arms of these bannerets, those of "SIRE THOMAS DE BAYLOL," from the County of Northumberland, *de argent a un escucheon de goul persee e un label de azur*. In a roll of arms in the possession of Stacey Grimaldi, Esq., compiled as late as 1337 (*Coll. Topog. ii. 320*) the shield of "HUGH BAILLOL DE BYWELLE" appears thus: *Porte de goutes or un eschochin voidé d'argent et dedenz un escu d'azur ave un leon rampant d'arge eorone d'or*. In this same roll "JOHN DE BAILLOL" is also recorded as bearing, Alexander Baliol, of Cavers in Scotland, and of Cihilham in Kent, bore, at the Siege of Caerlaverock, or, an escutcheon voided gules.—*Rat. Caer. edit. Nicolas*. Ingelram Baliol of Redcastle.—Gules, an orle ermine. Eustace Baliol (brother of John, Sen.) of Cumberland, argent, an orle gules.—*Surtees*, iv. 62.

WIMUNDUS DE BAILLIOLL, said by Dodsworth (*MSS. in Bibl. Bodl. Oxon.*, vol. iv., p. 10.) to be father of Bernard, Guy, Josceline, and Hawise.

GUY BALIOL (Guido de Balliolo) gave the churches of Gainford and Stainton, Co. Dur., and Stokesley, Co. York, inter 1112-1131, (*Reg. B.M. Ebor.*, in *Bibl. Cth. Ebor.*, fol. 304.) for the souls, int. al., "Dionisie ux'is mee & Bernardi de Balliol nepotis mei." = Dionisia. Wido de Baliol witnessed a charter of Hen. I. int. 1100-1109.—*Mon. Ang.*, vol. ii., p. 1012.

HAWISE, wife of William Bertram, Baron of Mitford, in Co. North'd., (*Dug. i. 543*) and had issue Roger Bertrann, who confirmed to the abbey of St. Mary at York, int. 1149-1152, the church of Stainton, "quon pater meus Willm's, & anus meus Wido de Balliol eidem eccle'ie dedit."—*Reg. B.M. Ebor.* 312^b; *Appendix*, p. xviii. †
"Heres Rogeri Bert'm tenet Bechefeld in Maritag."—*Test. de Nevill, sub vocagium Baronie de Balliolo*, p. 388, R.C.

BERNARD BALIOL, (B. de Balliolo) said by Dugdale to be son of Guy.—Matilda, according to Surtees (v. iv. p. 11), on the authority, it seems, of a dubious entry in the Liber Vitæ Dunelm. 304^b; *Appendix*, p. iii., n. IV. Gave, between 1145-1153, lands to the Templars, "filii mei Ingelrami consensu & assensu."—*Mon. Ang.*, ii., 523. Gave to the monks of Kelso a Fishery in the Tweed, int. 1124-1153, which grant is attested by Guy, his son.—*Chalmers's Cal.*, i., 567.

JOCELINE BALIOL, brother of Bernard, according to Dodsworth (vol. iv., p. 10), Mickleton, and Broke (Somerset). Jocelin' de Bailloel, one of the subinfeudatories of the Earl of Flanders, who acknowledged their service to Hen. II., anno 9, 1163.—*Rym. Fed.*, vol. i., pt. 1, p. 23. A witness to the charter of creation of Hugh Bigod, to be Earl of Norfolk, inter. an. Hen. II.—*Ibid.*, p. 43, vid. et 46. Witness to a charter of Hen. II. to Robert bishop of Lincoln, 1154-1167; and of that King's grants to several monastic foundations.—*Mon. Ang.*, vol. i., pt. 267, 435, 668, 720, 830; v. ii., p. 142. Sole witness to a mandate of Alianor, consort of Hen. II.—*Coll. Topog.*, ii., 247. Held the fourth part of a Knight's fee, by the King's command, without service.—*Lib. Nig. Seace.*, *Heame*, i. 169; and may be reasonably supposed to have been a favourite courtier of King Henry II.

WILLIAM BAILLOEL (probably the same person whom Surtees places as son of Bernard I., anno 1141) held four parts of a Knight's fee of R. de Gant, in Co. York.—*Lib. Nig. Seace.*, i., 327. Witness to W. Paganell's charter to Drax Priory, temp. Thurstan, Archbishop of York 1120-1141.—*Mon. Ang.*, ii., 96; and to the charter of Robert de Gaunt, of the church of Salbati to Drax.—*Ibid.*, 98.

GUY BALIOL (Wido de Balliolo), confirmed about 1152 the church of Gainford to the abbey of St. Mary at York, "quon Bernardus de Ball' eidem abb'ie pat' meus concessit."—*Reg. B.M. Ebor.* 304^b; *Appendix*, iii. Confirmed a grant of his father Bernard to the Monks of Kelso.—*Chalmers's Cal.*, i., 567.

INGELRAM BALIOL, who consented to his father's grant to the Templars, between 1145-1153.—*ut. sup.*

BERNARD BALIOL, Baron of Gainford, (Bernard de Ball') confirmed the liberties of his burgesses at Barnardcastle, "quas dedit eis pater meus."—*Orig. Charter*. Confirmed the churches of Gainford, Barnardcastle, and Middleton, to the Abbey of St. Mary, between 1186-1189.—*Reg. B.M. Ebor.* 304^b; *Appendix*, p. iii. Granted certain privileges, as Bernard' de Baiol', and Bernard' de Balliolo, to the abbey of Kieveall, Co. York, between 1161-1181, "p' a'ia pat' mei Bernardi d' Baiol' et uxoris mee, Agnetis de Pinchenel."—*Reg. de Rievall*; *Cant. MS.*, Jul. D. I. fol. 66^b. "p' a'ia Jocelin' aume'li mei," et "Agnetis uxoris mee."—*Ibid.*, fol. 67^b, 141^b.

Agnes de Pichenei, or Pinkney; a member probably of the Baronial family commemorated by Dugdale.—*Baronage*, i., 556. "Domina Agnes de Pichenei, uxoris juvenioris Bernardi."—*Lib. Vit. Dunelm.*; *Surt. Soc.*, p. 100 and 103.

INGELRAMUS DE BAILLIOLL son of Josceline, (*Dodsworth, vol. iv. fol. 10*) of Redcastle, jure ux., with whom he acquired a splendid establishment in Forfarshire.—*Chalmers's Cal.*, i. 567, from *Chart. Abroth*, 87. Sheriff of Berwick, and also of Fif, under Alexander II.—*Ibid.*, *Chart. Moray*, 38; *Abt.* 155. Engell' de Ball' witnessed a grant of dower from king Alexander to Johanna, sister of king Hen. III., 18 June 1221.—*Rym. Fed.*, i., 165. Witnessed charters of Alexander II. of Scotland, 1222, and 1227.—*Raine's North Durham, Appen.*, p. 14.

d. and h. of Walter de Berkeley, Chamberlain of Scotland.—*Chalmers's Calendar*, ut sup.

EUSTACE BALIOL, Baron of Gainford. "Eustac heres Bernardi de Baillo."—*Pip. Rot.*, 1 Joh; *Hodgson*, 68. Joined his father in the grant of a rent charge to Christ's Church, Canterbury, recited to be "ex dono B'nardi de Ball' & Eustachi filij sui."—*Reg. Mon. S. Alban.*, *Cott. MS. Jul. D.* iii., p. 68. The charter of confirmation (*Ibid.* 68 and 69), says "p' a'ia Bernardi p'decessoris mei." "Test. Hug' de Bailloil fil' m'e." Confirmed the advowson of the church of Gainford, with the chapels of Barnardcastle and Middleton, between 1193-1205, to the abbey of St. Mary at York, "consensu hug' fil' et he'is mei."—*Reg. B.M. Ebor.*, f. 304; *Appen.*, p. i. Granted lands in Middleton in Teesdale to Margery, dau. of Joicea; "Test. Hugone, Igerham, et Bernardi, filijs mei."—*Orig. charter at Streatham*.

widow of Robert Fitzpiers, to marry whom he fined, in 100 pounds, to the king, in 1190.—*Pip. Rot.*, 2 Richard I., *Witts*; *Dugdale*, i., 523. It is probable she was of the family of Geoffrey Fitzpiers, Earl of Essex, who witnessed the grant of this Eustace and his son Hugh to the abbey of St. Mary at York.

"EUSTACHIUS DE BAILLIOLL nepos Jocelini."—*Dodsworth's MS. Pedigree*, vol. iv., p. 10, from H.H. 52. To this Eustace, William de Percy gave, with his daughter, 17 oxgangs of land, in Foston Co. Leic., worth annually 1¹/₂l., in frank marriage.—*Test. de Nevill*, p. 88.

Agnes, dau. of William Percy of Spofforth and of Topcliffe, Co. York; and coheir of his second wife Joane, dau. and coheir of William de Briwere.—*Dug. Bar.*, i. 702; Lord of Foston.—*Ibid.*, 271. "Agnes filia Willi de Percy et heres uxoris sue."—*Dodsworth*, vol. iv., p. 10; from L. 37. Ob. circ. 20 Edw. I.

Ellen, wife of William Percy, lord of Semer, (*Surtees*, iv., 11).

HENRY BALIOL who, according to Surtees, (iv. 11.) was of Redcastle, in Scotland, and presumed Chamberlain of that kingdom 1234; father of Henry Baliol who ob. s. p., and of Constance mother of Hen. de Fishburn. Dugdale (*Bar. i.*, 273.), says, from a MS. penes Will. Pierpoint, that Henry Percy of Alnwick purchased from Henry de Fishburne, son and heir of Constance, dau. and heir of Henry Baliol, the manor of Ure in Galloway, and also Redcastle in Aneogis.

HUGH BALIOL (Hugo de Bailloil) confirmed, between 1193-1205, the advowson of the church of Gainford, with the chapels of Barnardcastle, and Middleton to the abbey of St. Mary at York.—*Reg. B. M. Ebor.*, 304, *Appendix*, p. ii. Confirmed to Bernard de Scottecliff the lands which "Bernardus de Bailloyel" gave him in Scottecliff (in Teesdale); Test., int. al., Ing'ram' de Bailloyel.—*Orig. charter at Streatham*. Confirmed to Gilbert son of Alden de Hindleia, "donum Eustachi patris mei in Brunclay." Test., int. al., Ingeramo de Baill', Bernard' d' Areins, Umfredo de Baill' &c. Granted to Ralph de Hindleia 20 ac. de vasto juxta terram de Hokesti ad edificandum; Test. Bernard' d' Umfredo Bailloyel.—*Surtees*, iv., 58. Confirmed the liberties of the Burgesses of Barnardcastle; Test., int. al., Ingelramo de Bailiolo.—*Orig. charter*.

INGELRAM BALIOL, witness to his father's charter, *ut sup.*; and to certain charters of his brother Hugh.

BERNARD BALIOL, witness to his father's charter, *ut sup.*. A barony tenure, 1212-1245.—*Surtees*, vol. iv., p. ii. An adherent, with his brother Hugh, of king John.—*Matt. West.* p. 91. Q' the same Bernard de Baliol who had a grant of the marriage of Agnes widow of Richard de Percy.—*Dug. Bar.*, i., 58 and 271.

"Bernardo viro d'ne Cecille de Castro B'nardo, & B'nardo filiolo," appear as witnesses to a charter of Hugh Traine of Streatham, who ob. before 1228.—*Orig. charter at Streatham*.

INGELRAM BALIOL of Redcastle in Scotland, and of Tours. One of the "Barones Regni Scotie," who pledged themselves to receive the Maid of Norway as their queen, 1284.—*Rym.*, i., 638. Ingram son and heir of Agnes de Baliol, deceased, did homage for her lands, held de Rege in Cap.—*Orig. 20 Edw. I., Rot. 3*. Ingelram Baliol de Tours.—*Foston Manor. Extent. Rot. Esc. 27 Edw. I., Rot. 3*. Henricus de Percy consanguineus & heres Ingelrami de Baliolo, de Com. Leic. & de Tours.—*Origin. 27 Edw. I., Rot. 1, 2, 3*.

JOHN BALIOL a renowned warrior, and statesman, "Dives et Potens."—*Matt. Paris*, 907-9. Founder, with his wife, of Baliol Coll., Oxford. "Johannes de Baidoil qui fuit filius Hugonis de Baliol."—*Com. Mem. Seace.*, *Trin. 27 Hen. III.*; *Harl. MS.*, xxx., p. 72^b. Exchanged certain common pastures with the burgesses of Barnardcastle.—*Orig. charter*, "Joh'es de Bayillioil." Paid 150^l. relief 13 Hen. III., 1228-9.—*Rot. Pip.*, *Essex and Hert.*, 13 Hen. III. "Johannes de Baiol debet v marc' pro Eustachium fratrem suum."—*Com. Mem. Seace.* 19 Hen. III., *Rot. 18*, in *Dors. Resid.*, *Comp. Ebor.* "Debet v m. de prestito Britanie pro Eustachium frat. suum." 21 Hen. III.—*Com. Mem. Seace.* Sheriff of Cumberland 33 and 39 Hen. III.; and Governor of Carlisle castle. Sheriff of Co. Derby and Notts., 45, 46, and 48 Hen. III. Keeper of the Honour of Peverell, 46 Hen. III.—*Dug. Bar. i.*, 524. Summoned to a Council or Parliament, as styled by Holinshed, (*Chron. N. E.* p. 454-460), 45 Hen. III., as Joh'd de Bailloil.—*Rot. Claus. ej. an.*, m. 3, *dors.* Granted certain of the rich possessions he had by his wife in Galloway, Arrysbire, Lothian, and Lauderdale, to his English vassals, to Alexander Baliol of Cavers, and to his brother Guy.—*Chalmers's Cal.*, vol. i.; from *Chart. Dryburgh*, 100, 1, 2; *Chart. Soltre*, n. 8. Died 1269 (*Chr. de Mailros*, *Hist. Ang. Script.* tom. i., 241); Inq. p.m. for Hichen Co. Hertf., Bywell Co. Northumb., Driffield Co. York, &c., 53 Hen. III., n. 43. Bur. at New Abbey in Galloway.

Dervorguil dau. and coh., and 2^d length sole heiress of An, Lord of Galloway, by his second wife Margaret, eldest dau. and coh. of David, Earl of Huntingdon (brother to William and Malcolm, kings of Scotland), and sister and coh. of John Earl of Chester and Huntingdon.—*Mag. Rot. Scot.*; *Rym.*, vol. i., pt. i., 779. "Dervorguil uxor Johannis de Bailloil na heredum Comitiss Cestrie."—*Com. Mem. Seace.*, 24; 5 Hen. III.; *Rot. 1*, in *dors.*; *Trin. Mich.*, Co. Linc.; *vid. et Plac. Quo Warr.*, 21 Edw. I., *Rbor.*; *R. C.* p. 240. Married in 1233.—*Ch. de Mailros*: xv. *Scrip. v. i.*, p. 201. Settled the foundation & ordained the statutes of Baliol College, Oxon., under her seal at Botcl, in Galloway, 1282, when she styles herself "Dervorgilla de Galwida, Domina de Baliolo."—*Esc. for Histon*, Co. Bedf., *Fotheringay*, & *Driffield*, 18 Edw. I., p. 8.

"ADA DE BALILO uxor domini Johannis filij Roberti." Baron of Warkworth Co. Northd.—*Chart. int. MSS. Dodsworth*, in *Bibl. Bodl.*, *Oxon.*, vol. 118, fo. 120. Married before 8 Hen. III.—*Rot. Claus. ej. an.*, p. 1, m. 6. Ob. circ. 1250.—*Esc. 34 Hen. III.*, n. 51; erroneously entered in the printed Cal. Inq. p. m. as Adam.

EUSTACE BALIOL brother to John (ut antea); and Q' if not "Eustace de Bailloil demerant de Querundon" (Whorlton in Gainford Par.) who accompanied him to the battle of Lewes; and is subsequently mentioned in the Feodra, in connexion with him. Sheriff of Cumberland 45 Hen. III., and Governor of the castle of Carlisle till 1264-5. Crucis signatus 54 Hen. III., and his lands, &c., taken into the king's protection during his absence in the Holy Land.—*Rym.*, i., 483. Had a grant, with his wife, of a market and fair at Levinton.—*Chart. Rot. 46 Hen. III.*, m. 5; but anno 43.—*Plac. de Quo Warr.*, 30 Edw. I., *Rot. 16*, *Cumb.* Ob. 2 Edw. I. (*Rot. 2 Edw. I.*, n. 12), having had issue by her, which lived awhile, whereby he became tenant of his wife's estate for life, by the courtesy of England.—*Ibid.*

Helwys dau. and heiress ("Coheres."—*Dodsw. MS.*, iv., p. 10) of Ralph de Levinton, a baron of Northd.—*Dug. Bar. i.*, 524-568. Died seized int. al., of the manor of Levinton, and other possessions in Co. Cumb. & Westm.; to which Thomas Multon of Gillesland succeeded on her husband's death, as her heir.—*Inq. Hel. de Levinton*, who fuit uxor Eustachi de Balliolo, 56 Hen. III. n. 35; and *Orig. 1 Ed. I.*, R.C. n. 19; but others who claimed to be her heirs are named in *Pl. de Quo Warr. Co. Cumb.*, 30 Edw. I., *Rot. 16*.—*R. C.*, p. 120.

1.—SIR HUGH BALIOL was—"Agnes de Valentia," dau. of William de Valence Earl of Pembroke, and widow to Maurice Fitzgerald.—*Dugdale's Bar. i.*, 776. She had dower, int. al., in the barony of Gainford (*Appendix* v. 54), and having rem. John de Avesnes Lord of Beaumont, (*Surtees*, iv., 11.) died circ. 3 Edw. II.—*Rot. Claus.*, 3 Edw. II., m. 3.

2.—ALAN BALIOL, brother and heir apparent, "Obit sine herede de se."—*Mag. Rot. Scotie*.—*Rym.* volume i., p. 779.

3.—SIR ALIS.—"Dam Alienor de geneve d'auoir de Balyol."—*Orig. charter*, dated at Barnardcastle 1280. Had dower in the Barony of Gainford.—*Appen.* No. 54. Remarried Robert de Stutevill before 21 Edw. I.—*Plac. de Quo Warr. Northd.*, *ej. an.*, *Rot. 2*. Living his widow 35 Edw. I. 1306; & styled Ellenore de Genovere.—*Rot. Parl.*, vol. i., p. 199; or as it is otherwise written, Genouore.—*Bar. i.* 459; *Dodsworth's MS.*, iv., 10, &c.

4.—JOHN BALIOL, youngest brother and heir, Lord of France, Baron of Gainford and Bywell Lord of the Regality of Tyndale, with many other possessions. Heir to his mother, at whose death he is stated, in her Inq. p. m. to be forty years of age. Heir to his aunt Christian, wife of William de Fortibus.—*Plac. de Quo Warr.*, 1 Edw. I., *Ebor.*, *Rot. 8*; *R. C.* p. 240. Summoned to Parliament, as "Johanni de Baliolo," 30 Sep. 11 Edw. I. (*Rot. Warr. ej. an.* m. 2 *dors.*) and repeatedly on Military occasions.—*Yid. Fed.*, vol. i., pt. 2; and *Palgrave's Parl. Writs*, v. d. i., p. 442. King of Scotland, at Stone, on the Octaves of the Purification of the blessed Mary, anno regni i.—*Rym. Fed.*, 780, 786. Had a grant of seisin of the Isle of Man 5 Jan. 1202.—*Rym. Fed.*, 785. Was deprived of his English estates 25 Dec. 1293.—*Appendix* No. 51. Surrendered his crown July 1296. Departed from Great Britain July 1296, and died an exile in Norway, according to *Drake's Hist. Anglo Scotie*, in 1314.

Isabel, dau. of John Earl of Warren & Surrey and Alice his wife, uterine sister of king Henry III., married "infra octavas Purificationis" A.D. 1279.—*Chron. T. Wikes*, xv. *Scrip.* vol. ii., p. 109. The time of her death is uncertain, but q' if dead before the Confederation of her husband with the king of France, who, according to the 14th Clause of their treaty, dated 23 Oct. 1295, was to have cognizance of his second marriage.—*Rym.*, i., 831.

Margaret, wife of . . . Multon.—*Surtees*, and *Somerset Brooke's MS. in Coll. Arm.* Said in a Bowes MS. to be married in Abrogines; but in an ancient Chronicle, which I have found to be otherwise correct, it is recorded "Margaret Lady of Gillesland was John's eldest sister."—*Lelandi Collect.*, vol. ii., p. 540. Margaret, wife of Thos. Lord Multon of Gillesland, was living 10 Edw. II. (*Dug. Bar. i.* 568), and had issue.

Ada, wife of William de Lindsay.—*Brooke Somerset.* The second sister was Lady Coney (Coney).—*Lell. Coll.*, ut antea; a confused statement, for Christian dau. and heir of William de Lindsay married Ingelram de Gynes or Ghisnes, Lord of Concy (*Dugd. i.*, 760); and was a widow 19 Edw. II.—*Orig. Rot. ej. an.* 11.

EDWARD BALIOL, crowned King of Scotland at Stone, 24 September 1332. Surrendered his Realm of Scotland, by delivering a portion of the soil of Scotland, and his golden crown, and by charter of concession dated 20 January 1335.—*Rotul. Scot.*, i. 787. Contracted in marriage to Isabel de Valois, sister of Philip VI. King of France, 23 October 1295, then a child, and never actually married to him.—*Rym. Fed.*, i. 831. Died near married Francis Duke of Andria.

HENRY BALIOL, slain in defending an attack on his brother Edward at Annan, 16th December 1332.—*Chalmers's Calendar*, i. 567.

him round about; and mingled emotions of discontent, and disappointment, and despair, have bounded painfully and bitterly through his heart—a heart, that gladdened only by the light of day, might have found—in the mighty magnificence of nature—in the lone path of the hoary forest—in the impetuosity of the mountain torrent—in the declining sun, that lingered like itself o'er his far-off realm—a dignifying solace and a joy, which neither the worm within, nor the foe without, could alike diminish or destroy. It was the last scene of a sad drama,* that needed but the pen of Drayton, or Marlowe, or Shakespeare; and now lacks but the pencil of one master hand, to excite that immortal interest and sympathy they have won for more trifling scenes, and more unworthy men.

Time, that has been merciful to the memory of many of our ancient houses, has but barely allotted this its heritage of renown. Dugdale has retrieved but little of its history in comparison with its importance; and his successors have been disinclined to dissertate on a subject, to which they had but little incitement. Mr. Surtees corrected a few errors, and added some information; and it is more for the sake of affording a comprehensive view of the lords of this fee, than to aid minute enquiry, that I annex the following compendium.†

So dense indeed has become the obscurity in which their history is involved, that, while our Obituaries teem with descendants of the “immortal Bruce,” with claims as diversified as amusing, ambition has never been stimulated to assume, or curiosity to ascertain, in whom representation of the Baliols is now vested; though the inherent representation of the ancient regal dynasty of Scotland gives superior interest to the investigation. On the decease of King Ed-

Alexandri regis Scotorum Prædecessoris nostri ultimo defuncti”—a passage which shews, says Bishop Nicolson, (*Scot. Hist. Lib.* 62,) that he did not allow John Baliol to be reckoned among the kings of that realm. But what reck's it now:

“————— DUNCAN is in his grave;
After life's fitful fever, he sleeps well;
Treason has done his worst: nor steel, nor poison,
Malice domestic, foreign levy, nothing
Can touch him further!”

* Dante, from his own sufficiently disturbed country, cast one sinister glance on this sad commotion, when anticipating the judgment on certain princes at the last day.

“Lì si vedrà la superbia ch'assetta,
Che fa lo Scotto e l'Inghilese folle,
Sì che non può soffrir dentro a sua meta.”

PARID. XIX., 121.

† Since this pedigree was printed, I have received a communication, touching its earliest portion, from that zealous student and patron of antiquarian literature, *Sir Thomas Phillips, Bart.* He considers that one RAINALD DE BALGIOLE, living in 1086 (vide *Domesday*) to be the ancestor of the Baliols of England, who must therefore take chronological precedence of Wido, the *homo præpositus* of my pedigree. He has observed, also, from charters in France, that the wife of this Wido was named Agnes; and that Bernard the 1st had two brothers, named respectively Hugh and Guy.

ward,* in 1363, childless, it became divided between the four sisters of his father; but, touching Margaret the eldest—whose heir, irrespective of the fatal forfeiture, would no doubt have inherited the Barony of Gainford, and should, by strict hereditary right, have sat on the throne of Scotland—there is an unfortunate genealogical difficulty. In the pedigrees, as hitherto printed, she is merely said to

* Of Edward Baliol, whose chequered fate fills

"A wild tale of Albion's Warrior day,"

it is unnecessary to treat here, since he was never actually in possession of the Barony of Gainford, though it is remarkable that, under some grant or composition that has escaped my notice, he nominated Walter de Lanchester to the Rectory of Middleton in Teesdale, 15th March, in the first year of his reign.—*Reg. B. Marie Ebor.*, in *Bibl. Cath. Ebor.* He was not allowed to accompany his father to Bailleul in 1299; but that his captivity might be mitigated as far as prudence would allow, he was, I presume, committed to the care of his paternal grandfather, John, Earl of Warren; and on his decease, suffered to remain with his successor, John the last Earl. In 1310 he was, however, removed by a Regal Mandate (*Ro. Pat.* iv *Ed. II.*, p. i, m. 14,) from the surveillance of this nobleman to that of Thomas and Edmund, the king's brothers, in whose household he was to remain under the charge of John Weston, its seneschal. King Edward II., like his father, seems to have treated him with respect and consideration. In 1315, on the report of John Baliol's death, he wrote to Louis, King of France, interceding for Edward's admission to those feudal possessions which his father had held in that kingdom.—*Rym. Fæd.* vol. ii.; from *Rot. Rom. & Franc.*, viii *Ed. II.*, m. 12. Next year, on giving security for his return, he was allowed to leave England for a short time, no doubt to settle the affairs consequent on his father's decease.—*Rym. Fæd.*, ii. 279; from *Ro. Claus.* ix *Ed. II.*, m. 27d. In the Rolls of Originalia, 17 *Ed. II.*, (*Ro. 2, R. C. i.* 270) it is incidentally observed that the King was bound to Thomas, Earl of Norfolk, and Marshal of England, in 500*l.*, which he had promised him "*p' mora Edwardi de Balliolo in Comitatu sua.*" These circumstances contradict the ordinary statement that his earlier days were spent in France. It will gratify not a few to know that, after he had descended from his perilous throne, his days were spent in "fair Yorkshire," and soothed in two remarkable instances, by the affectionate and grateful attention of its countrymen—his own and faithful followers. A curious and quaint Chronicle, transcribed by Leland (*Collect.* ii., 447) says "John of Barnaby, a Squier of Yorkshir heying with Balliol in Scotland practised wonderfully for him, and after with King Edward favor reposed him in his kyngdom, first bringing hym to the Manor of Sandale upon Owse (4) miles from Doncaster) in Yorkshir, where the Lady Vesey lay." Here, restrained from military depredation, he enjoyed its best imitation in mighty huntings; and in Hatfield Chase, with the nobles and gentry around, joyous meetings they must have been. Edward had the King's licence to take his sport, "*pro deductu et sustentacione sua;*" but for this incautious participation,

"They were outlawed for Venesoun,
These Yermen everich one."

There was a pardon granted them at Edward's request, the 19th of October 30 Edward III., 1357. It is printed in Rymer's *Fædera*, vol. v. p. 870., from the Patent Roll of that year, p. iii., m. 6, and is remarkable for its enumeration of the game they had slaughtered, and the relative quantities and sizes of the several species.

Not less an instance of the benignity of Edward Baliol's disposition, than a touching example of fidelity to a discredited king, was his friendship with the family of Aldhrough. To Ivo de Aldbrough, the first of the race with whom we find him connected, he gave lands in Brokesmouth and Roxburgh. He was a warrior in the Scottish campaign under Edward I. (*Palgrave's Doc. and Rec.*, 265, 271); and of Aldhrough near Masham, not as generally stated of the village so called, by Boroughbridge.—*Chart. B. M. de Fontibus.* William, his son, succeeded to these Scottish lands before 1347.—*Rot. Scoc.*, 21 *Edw. III.*, m. 1. He attended Baliol as valet, and, under the description of "Will's de Aldeburgh, Valettus Edw. de Balliolo Reg. Scocie," had frequently letters of safe conduct, when coming to England from the Scottish Court. In one dated 5th July, 1354, he is styled "Nuncius Edwardi de Balliolo," &c.—*Rot. Scoc.*, *ej. an.* After witnessing Edward's memorable charter of concession, 20th January, 1355, (*Ibid.*, m. 12) he quitted the realm with him for his own country. Here he married Elizabeth, the daughter of John, and heiress of her brother Robert, Lord Lisle of Harewood; and in that

have married ——— Multon; and, connecting this abstract fact with another statement that she was married “in abrogines,” a surmise might have arisen that her husband was from the obscure Multon in Northamptonshire, from whence a service was due to the Fee of Baliol.* If, however, the evidence embodied in the annexed pedigree is worthy of the credit to which I believe it is entitled, he was one of the Multons, Barons of Gillesland, a family who had been previously connected with the Baliols. The wife of the fourth Baron according to Dugdale, who knew nothing further of her family, bore the same christian name; but, on considering that Margaret Baliol must have been born at least five years before her father’s death, in 1269, it may be more consistent with nature to suppose that Thomas, the second baron, who died in 1293, had obtained her hand. This uncertainty is, indeed, immaterial in the question of her present representation; which in either case resting in Margaret,

castlet, “standing stately” on Wharf, which there is reason to believe he rebuilt, tradition says he sheltered his royal master.—*Whitaker’s Loidis*, &c., 165. I am sorry to crush the long-cherished tale by the certain fact that Aldbrough only obtained possession of the castle in 1365, when Baliol had been two years in his grave; and it is not very probable that he was previously its tenant. The arms of Baliol and Aldbrough still remain graven in juxtaposition above the chief portal of the present building, and between, the predestinarian motto, “*Vat sal be sal*.” Similar Heraldic tokens of loyalty and affection have not unfrequently begot strange traditions. When Glover, the Herald, made the Visitation of Norroy’s Province, in 1584-5 he noticed, in addition to this and a similar shield of Baliol in the Chapel, one sculptured on the wall of the said chapel, bearing an orle ermine, over all a label of three points—differences certainly not appertaining to the ex-king, but rather perhaps to the Yorkshire branch of his family, between whom and the Aldbroughs there might have been some consanguinity. This William de Aldbrough died in 1378, five years after Baliol; for the health of whose soul, however, he had given lands at Willey Hay, in the county of Nottingham, to the abbey of Beauvale. Many years after, his daughters, the Ladies Ryther and Stapylton obtained from the monks a concession that certain offices should be daily celebrated by two chaplains, for the spiritual benefit of their father and mother, their brother William and his wife, and with affectionate remembrance included that of Edward Baliol. Sir William, the husband of Lady Stapylton was a valet of the king; and 15th September, in the second year of his reign, had shared his benevolence in the gift of certain lands in the vale of Liddel and Teviot.—*Ro. Soc.* 23 *Ed. III.*, m 3.

Margaret, relict of the second William de Aldbrough, by her will dated at Harewood in 1391, and lately printed by the SURTEES SOCIETY (*Test. Ebor.*, 149), gave to Peter de Mauley, her son by a former marriage, “*unam loriam*,” which, as if the fact enhanced its value in the eyes of the testatrix, she distinguished as “*quæ fuit Edwardi Ballyoclyff*,”† the termination of his name being a mistake, doubtless, of the scribe. She also gave him an arras hanging, of a red colour, with a bordure of murrey, and adorned with the arms of Baliol and Aldbrough.

In the recital of more engrossing subjects, the time of poor Edward’s death has escaped the Chroniclers, except Knighton, who merely observes that he died in 1363, “*juxta Dancastriam*.”—*XV Script.*, v. ii., c. 2628. All collateral incidents are forgotten. Of him who had swayed the destiny of an empire, and for half a century had stood objected to the passions and sympathies of mankind, there remains no little memorial of that last resting-place from his toil, for which

“ ——— two paces of the vilest earth
Is room enough,”

nothing to claim the passing tribute of a sigh for his sad eventful history—nothing to protect his once anointed form from the intrusion of the meanest hind.

* Testa de Neville, Northamp.—*R. C.* 31.

† Sir T. Phillipps has mentioned to me the remarkable circumstance that “there is a place called Balleclive near Mere in Wilts, which Mere belonged to Baliol.”

sole daughter of Thomas the fourth Baron Multon, of Gillesland,* has now descended to Thomas Brand, Lord Dacre, the immediate lineal heir of Ranulph de Dacre, who abducted the rich heiress, and married her by stealth from Warwick Castle.† It is a curious fact deserving of further enquiry, that when King Edward was at Girthou in Scotland, with the fleet in 1300, just after John Baliol was released from his captivity, he received from "*Dame Margaret Multon*," the sum of 16s. 4d. for the restitution of her liberty.‡

The forfeiture of John Baliol's English estates was adjudged to have occurred on the 25th of December, 22 Edw. I., 1293,§ "on which day he receded from his homage."|| The Sheriff of Northumberland neglected to enter the barony of Gainford,¶ and it remained unmolested until the feast of the Nativity of St. John the Baptist, 24th of June, 23 Edw. I., when Beck, bishop of Durham, entered on Long Newton and Newsom, two of its members, in satisfaction and only by virtue of a certain conveyance thereof, made to him two years before, by John Baliol, in order to obtain his aid during the great controversy for the Scottish Crown. Emboldened either by his success or the justice of his claim, on the feast of St. Martin in the same year, he seized the whole barony by virtue of his presumed prerogative, and held it apparently without objection.**

The absence of its records has forbidden an intelligible idea of the constitution of this ample and franchised territory while it was in the tenure of the Baliols, and now for the first time, when it was passing from them, we are afforded an authentic and distinct view of its subinfeudation and distribution. It was composed of five knights' fees and a quarter, which were thus distributed: in Denton and Ingleton was one fee; Bolam and Sledwisch were comprehended in another; Alwent, Heton, and half of Summerhouse were three quarters; and the other half of Summerhouse an eighth of a fee. Robert Trayne and Ralph Surteys each held one whole knight's fee; Bernard de Langton, Ralph de Cotum, Peter de Cyrezi, Guy de Graunsard, Josceline de Westwick, ——— Hertburne, and Hugh de Lilleforth, each a twelfth part of a fee; Simon, the falconer, a fourth, and Ingelram de Baliol a similar proportion in Dalton; John de Hedlom

* Dug. Baron., i. 568. † Rot. Pat. 11 Ed. 11., p. 1, m. 20.

‡ Chalmers's Caledonia, from the Wardrobe Accounts. A MS. in the Library at Middlehill, apparently of some authority, states that Thomas, grandson of Thomas de Multon the second Baron, was born in 1282, and married Margaret, daughter of Alexander de Baliol, by whom he had issue Margaret, born in 1305, and married to Ranulph de Dacre.

§ Nevertheless he was summoned by a special writ, dated 25th June, 1294, to Gascony "eq' & ar' & toto s'vicio quod nob' de t'ris & ten' que de nob' tenetis in Angl' debetis."—*Rot. Vasc.* 22 Edw. I., m 7d.—PALGRAVE'S PARL. WRITS, i., 259.

|| Inq. p' forisf'm J. de Balliolo, Appendix No. LV., p. xxviii.

¶ Vide Originalia, 23 Edw. I., Rot. 16; and 24 Edw. I., Rot. 8, 9.

** Inq. p' forisf'm, ut sup.

had a twenty-second, and Adam de Hyndeley a twenty-fourth part of a fee. On the history of the territory allotted to each my unfortunate limits forbid me to enlarge.

A much greater source of profit was derived from the demesne lands which the lord retained in his own hands, with the parks and forests appurtenant to the castle, and the rents and services of the manorial tenants in the several villages and their territories. Of these, however, John Baliol had less complete possession than his predecessors; for his inheritance was encumbered by the dower of the two widows of his elder brethren, who having borne no children had advanced him thereto, and might, therefore, be suffered the more cheerfully to share in its enjoyment. Agnes, widow of Hugh, had, apparently in contravention of the feudal law, her dower in Gainford itself, where she held the court and exercised other baronial privileges; as well as in the vills of Piercebridge and Headlam, all worth 100*l.*, with the reservation to the lord of the fee of the rents of the free tenants of Headlam: she held also half of the mills of Gainford and Piercebridge; and a third part of the forest of Teesdale. Elenor, the widow of the other brother, was more sparingly endowed. Here she had a third part of the mills of the borough, and of the demesne land of Castle Barnard; a third part of two parts of the park and wood there, and of the forest of Teesdale; a third part of the vill of Westwick; a third part of two parts of Whorlton, with the capital mansion where she no doubt resided; and a third part of the mills of Gainford and Piercebridge, all worth annually 40*l.* 13*s.* 4½*d.* Then, also, William de Falderley held for his life two carucates of the demesne in Langton of the annual value of 9*l.*, of the gift of Lady Dervorguil de Baliol, and confirmation of her son king John; who likewise, sometime before he was adjudged to have forfeited the barony, granted an annuity of 10*l.* out of Long Newton to Alan de Tesedale, in recompence of his services lately rendered, I presume, as his Attorney General.*

The interest that remained, therefore, to John may be thus comprehended, and as a more minute survey will soon occur, thus briefly described:—two parts of the borough rents of Castle Barnard, with a like proportion of the profit of the markets, fair, and mills there, produced, annually, 34*l.* 13*s.* 4*d.*; rents derived *de feodis Castri*, or Castle-guard rents, 3*l.* 12*s.*, besides the service of four pounds of pepper, seven of cumin, and two capons. He enjoyed, too, one hundred and twenty acres of the castle demesne, which was, doubtless, the best land in the vicinity, being valued at a shilling

* In the Pleas de Quo Warranto, 21 Edw. I., "Alanus de Teysedal' gen'al attorn' p'd'c'i Joh'is."—*North's Ro.* 5*d.*

an acre; and two parts of the park and woods, which must have been very extensive, at 20*l.* per annum. The agistment of the vast forest of Teesdale, however, only produced in the same time sixty shillings. Of the manor of Middleton, in Teesdale,* which, it is singular, ere that time had not been granted out or subinfeuded, he held sole possession and derived from it, with its hamlets, in returns of assize, rents and other issues, 16*l.* 13*s.* 7 $\frac{1}{4}$. Two parts of Westwick in a more comfortable position, but more slavish condition, produced, annually in rents from bondholders and cottagers, 14*l.* 0*s.* 6*d.*; two parts of Whorlton by the Tees, with the mills there, 16*l.*; the rents and services of half the vill of Langton, 10*l.*; and the rents of the free tenants at Headlam, with the licence to brew, 3*l.* 12*s.* He had, also, the patronage of the Hospital of St. John at Castle Barnard, and of the chapel at Newsham.

When Bishop Beck entered on that part of the barony that had been granted to him by John Baliol, his interest was limited to the proceeds of the vill of Long Newton, which produced 30*l.* 3*s.* 11*d.*, irrespective of the annuity Falderley derived thence; and those of Newsham valued at 15*l.* 0*s.* 5 $\frac{1}{2}$ *d.*, derivable as well in money as in crops. Shortly after his entry, Stephen, whom Baliol had appointed chaplain of Newsham chapel, died, and the Bishop put in one William de Rous his clerk. The benefice was worth 10 marks annually, and for this the custos was bound to find a chaplain to celebrate the divine offices.

After John Baliol had concluded the treaty with the French King, the Bishop perceiving that all probability of his restoration to his English lands was destroyed, entered the barony of Gainford, as I have previously observed.

This was a most important acquisition to the see, not only in respect of the fiscal interest consequent on the vastness of its territorial extent, but of the peculiar defence and security it afforded to its southern marches by the fortress of Barnard Castle. This great stronghold had been probably tenanted by the Baliols until this period, and Beck found it furnished with chattels to the great value of 200*l.* Presuming on the security of his tenure, he is said† to have repaired the building, to have erected a castle or more likely a manor house at Gainford, and indeed began to effect territorial subinfeudation. To Ralph Fitzwilliam he gave the capital messuage or manor house of Langton; the two carucates of land there, that had reverted to the fee, in 1300, by the death of William de Falderley; and a rent charge or annuity of 10*l.*, arising out of rents and services in the vill

* He presented to the rectory of Middleton, 26 January, anno reg. 2.—*Reg. B.M. Ebor.*

† Godwin de Præs. p. 658.

of Langton, of which Fitzwilliam again granted 5*l.* annually to Gilbert Hansard his valet. In the next year, Henry de Percy, who had obtained Alnwick through the dishonorable conduct of Beck, received from him two portions of the vill of Whorlton and the mills there; a possession valued, in 1307, at 16*l.* per annum.

In 1307, when Beck had enjoyed this Barony thirteen years, King Edward, in punishment of the contumacy he had exhibited in a dispute respecting the election of the Prior of Durham, deprived him of the temporalities of his see for a second time. Perceiving, either that it was wholesome that he should be the further humiliated in that which might have inflamed his natural arrogance to offend, or that his possessions had become unseemly and inconvenient, the wary old monarch proceeded also to sever those large territories which the Bishop had seized on behalf of his questionable prerogative, when Baliol and Bruce had withdrawn their allegiance from the English Crown. Robert de Clifford, who himself obtained Hart and Hartness, and was one of our great barons that fell at Bannockburn, was appointed Custos of the Bishoprick; and to him, as the preliminary process of severing this Barony, the King, who was then proceeding for the last time towards Scotland, addressed his writ,* dated at Lanercost in Cumberland, on the 4th of November, anno reg. 34, 1307. Herein—asserting that on the defalcation of Baliol, his lands were forfeited to the Crown, and to none else; and without deigning to advert to Beck's adverse possession, other than by the equivocal statement that thereupon certain men of this part had caused a seizure to be made, and enjoyed the revenues—he directed that, for the vindication and recovery of the rights of the Crown, a jury should be summoned *from the Bishoprick*, who should make a return to certain questions that were annexed, before his special officer, Galfrid de Hertepol. To these several articles of enquiry—which were prepared with reference to the actual state of the case, and were admirably calculated to elucidate the state and value of the Barony at the time of Baliol's forfeiture, and to disclose the manner, time, and cause of subsequent alienations and reversions—was annexed, as if in certain contemplation of the issue of the enquiry, a provision that, in case John Baliol held, as was assumed, this Barony and other lands in the Bishoprick in fee, on the 25th of December, 1293, that Clifford should not only forthwith seize the Barony and Castle into his hands; but also all other lands that had been subtracted or had reverted, it mattered not in whose hands they might be. The writ, with the return under the seals of Clifford and the Jurors, was ordered to be returned before the next Parliament, to be holden

* Appendix No. LV., p. xxvii.

at Carlisle, in the Octaves of St. Hillary. There is, however, no record of any proceedings on the subject, in the Rolls of that Assembly; though the Bishop was then otherwise inculpated.

After an interval of more than a month, a jury of twelve respectable residents of the Barony met at Barnardcastle, and on the 11th of December returned the very valuable and important record, whence the preceding account of the Barony has been derived. The original process is now lost or mislaid; and for the copy, which I have subjoined in the Appendix,* it is singular I should be indebted to the officers of Beck's successor, Kellawe; in whose Register—happily redeemed, after many wanderings, to the Chancery at Durham, by Bishop Barrington—it seems to have slept unknown to historical enquirers.

In accordance with the anticipatory provision, Clifford, by virtue of this return, immediately seized for the Crown, "The Castle of Barnard, with all the lands and tenements which the Bishop held of the Barony of Gainford, and all other the lands and tenements which, by virtue of the said Inquisition, ought to appertain to the King, and none else," causing the Constable of the Castle, and all the other officers, to keep them as such. He likewise took the fealty of the Freeholders then present, and attached all the goods and chattels found in the Castle, lands, and tenements. The total annual value of the property thus obtained being, in the money of that day, 183*l.* 5*s.* 9¾*d.*, beyond the dowers charged on it to the amount of 150*l.* 13*s.* 4*d.*†

So goodly a possession could not long be enjoyed by a King that owed so much to the fidelity of his Barons. Two months had not elapsed before favour or gratitude won it from the dying monarch, still prostrate on a sick bed at Lanercost. On the 2nd of February 1307, he conveyed it to Guy Beauchamp, the second Earl of Warwick—a redoubted and stern warrior, who not only deserved it for his long and faithful services, but was fully able to maintain its independent franchise against the influence of the See of Durham. By the terms of his charter‡—the original of which has lately been discovered among a mass of unsorted papers in the Chapter-house at Westminster, and indicates the place whence the long lost records of this Barony may ultimately emerge—it is described as the Castle and Vill of Barnardcastle, and Manor of Middleton, with its chases and other appurtenances, *in the Bishoprick of Durham*; which belonged to John Baliol, an enemy and rebel to the Crown, and which, by his forfeiture, had come as escheats to the King's hands; to be holden by him, the said Guy, and his heirs, with all such knights'

* Appendix No. LV., p. xxix-xxxii.

† Inq. ut supra.

‡ Appendix LVI., p. xxxii., c Reg. Kellawe in Cur. Canc. Dun.

APPENDIX.

GAINFORD.

The following forty-five Charters and Instruments are extracted from a Chartulary of St. Mary's Abbey, York, given, as appears by a memorandum in the beginning, dated December 13, 1698, by Francis Hildyard, Bookseller, to the Dean and Chapter of York Minster; and now preserved in their Library. As it might be difficult or impossible to settle the proper succession of all the documents, they are here given in the same unchronological order as is adopted in the Manuscript.

I.—Carta Guidonis de Balliolo de T'ra in Gaynesford.

Oñib; videntib; vel audientib; tam modernis q^m posteris has t'ras Guido de Balliolo salutē. Sciatis me dedisse in purā elemosinā deo ⁊ s^ce marie ⁊ Abbie Eboꝝ ⁊ Ričo* Abbi ⁊ monachis S^ce Marie Eboꝝ eccliam de Stokesley ⁊ unā carucatā t're in eadem villa ⁊ deciam de D'nio meo eiusdem ville ⁊ eccliam de Geynesford ⁊ duas bouatas t're ⁊ deciam de dñio meo eiusdem manij et eccliam de Steynton ⁊ duas bouatas t're ⁊ decimā de D'nio meo eiusdem ville p aīa Henrē Reḡ dñi mei ⁊ p'ris ei⁹ Reḡ Wiffrici ⁊ m'ris eius Regine matild ⁊ fr'is eius Regis Wiffrici ⁊ filij eius Wiffrici ⁊ p aīa mea ⁊ dionisie ux'is mee ⁊ Bernardi de Balliol nepotis mei ⁊ p aīb; omī fidelīū defunctorū . et hoc sciatis qđ hanc dacionē feci sine omī t'reno s'vicio . Testib; Reynero dapifero meo ⁊ vitali de Stokesley ⁊ hutthelardo ⁊ Robto p'sbro ⁊ Sauhala p'sbro ⁊ hanc elemosinā feci pro aīab; pat'is mei ⁊ matris mee ⁊ omī pentū meoꝝ. 304.

II.—Sciant p'sentes ⁊ futuri qđ ego Eustač de Baillol assensu ⁊ consensu huḡ filij ⁊ he'ris mei concessi ⁊ hac carta mea confirmavi deo ⁊ ecclie b'e mañ Ebor ⁊ eiusdem ecclie Abbi ⁊ monachis ibidē deo s'vientibus aduocaçōem ecclie de Gaynesford cū capellis de castello Bernard ⁊ de Midelton ⁊

* Richard, Abbot of St. Mary's, 1112 to Dec. 1131.—*Drake's Ebor.* p. 594.

oībꝫ aliis ptiñ suis ⁊ duas bouaꝝ tꝛe cū tofto ⁊ crofto in villa de Midelton p̃diča hēnd ⁊ tenend inppetuū in purā ⁊ ppetuā elemosinā adeo libere quiete integre ⁊ honorifice sicut Guido de Baillol Senior ⁊ hēdes eius post eū Antecessores sciūt mei ea dederunt ⁊ concesserunt ⁊ cartis suis confirmaverunt p̃dce ecclie pꝛet̃ea concedo ⁊ confirmo eidem ecclie ecctiam de Stokesley ⁊ unā carucaꝝ tꝛe in eadem villa ⁊ decias de dñico meo in eadē villa . Et ecctiam de Steyntoñ ⁊ duas bouaꝝ tꝛe ⁊ decias de dñico meo in eadem villa cū omībꝫ ad ea p̃tientibꝫ sicut contineñ in cartis pꝛēdcoꝝ antecessoꝝ meoꝝ hēnda libere ⁊ quīte de me ⁊ hēdibꝫ meis sine ulla inq̃ietacōne ⁊ p̃turbacōne inppetuū . Et ut hec concessio ⁊ confirmaçō mea rata ⁊ inconcussa inppetuū mēant : eam p̃sentis sc̃pti annotacōne ⁊ sigilli mei Apposicōne coroboravi. hijs testibus . huḡ Cantuaꝝ Archiep̃o* Gaufrido fil. Peti Com̃ Essex^e tunc capitaḡ Justiç Angl̃† Wiḡ de Estuteuill Galfrid de Bocland Rogo Constā Cest̃‡ Riçō de Herard Simone de Pateshull Joḡe de Gestling Rob̃to Vaassore§ Wiḡo de pcy de Kildal|| ⁊ multis aliis.¶

304.

III.—Carta h de Baillol de ecclia de Gaynesford.

Sciānt tam p̃sentes q̃m futuri qđ ego hugo de Baillol concessi ⁊ hac carta mea confirmavi deo ⁊ ecclie be marie Eboꝝ ⁊ monachis ibidem deo svientibꝫ advocacōem ecclie de Gaynesford cū capella de castello bernard ⁊ de middleton ⁊ omībꝫ aliis ptiñ suis &c.**

304.

The rest is recited and confirmed in the precise terms of the preceding charter of Eustace Baliol, and attested by the same witnesses.

* Hubert Walter, Dean of York 1186 to 1189, during which period he attested the Charter of Bernard Baliol (on the opposite page); Bishop of Salisbury, 1189 to 1193; and Archbishop of Canterbury 1193 to 1205.

+ Geoffrey Fitzpiers, who succeeded Hubert archbishop of Canterbury, as Chief Justice of England in 1198, was created Earl of Essex at the coronation of king John, 27th of May 1199. Eustace Baliol gave 100 marks for licence to marry the widow of Robert Fitzpiers.

‡ Roger Lacy, Constable of Chester. He had returned to England, from the third Crusade in 1195, and died October 1st, 1211.

§ This might be the celebrated Sir Robert Varasor, who contributed stone to the building of York Minster, and died in 1253.

|| The first of the Percys who settled at Kildale, in Cleveland Co. Yorks., is said to have been *Walter*, son of William lord Percy who died in 1244; and uterine brother of Agnes, wife of Eustace Baliol. The existence of this *William* there, about 1200, will, however, induce us to suppose that, unless he was then very young, either the name of the first settler, or the period of the settlement, has been misunderstood.

¶ This Charter is also enrolled int. MSS. D. and C., Dur.,—No. 15, pp. 26 and 27.—*Surtees*, vol. iv., p. 52.

** This, and the document No 1V., are re-entered at fol. 310b.

IV.—Carta B. de Balliolo de eadē ecclīā

B. de Balliolo omib; suis p̄bis hoib; francis ⁊ Angl ⁊ oib; s̄cē ecclīe fidelib; salēm · Sciatis me concessisse ⁊ hac mea carta confirmasse deo ⁊ s̄cē marie Eboꝝ ⁊ monachis ibidē deo ſ̄vientib; ecclīam de Ganesford cū capella de castello Bernard ⁊ aliis p̄tiñ suis in purā ⁊ p̄petuā elemosinā q̄am ecclīam Wid de Balliol meus avūculus de quo he⁹ datatē heo p̄fato monastio dedit ⁊ sua carta confirmavit p̄ salute aīe ip̄ius Wid ⁊ p̄ salute aīe mee ⁊ p̄ris ⁊ m̄ris mee nec non ⁊ filioꝝ meoꝝ vivoꝝ et defunctoꝝ Testib; Ingelrano de Bafl* Walto de heding hereb⁹to de Doura chico Bernard de Bafl Raynero de Stokesley Elsi de Neuton Walto de Abbeuill Daniel fil. Walṡi paulino medico.

304. b.

V.—De eadem.

Bernardus de Baillol omib; fr̄as istas videntib; atq; audientib; tā clicis q̄am laicis tā p̄sentib; q̄am futuris salēm. Sciatis me concessisse ⁊ carta mea confirmasse deo ⁊ ecclīe s̄cē marie Eboꝝ ⁊ monachis ibidem deo ſ̄vientib; ecclīam de Gainesford cū omib; p̄tiñ suis ⁊ ecclīam de castello Bernardi cū omib; p̄tiñ suis ⁊ ecclīam de midelton cū omib; p̄tiñ suis et in eadem villa de midelton duas bouatas tre cū tofto ⁊ crofto · Sciend est autē qđ ecclīe p̄noīate sciūt de Castello Bernardi ⁊ de Midelton fuerunt capelle in tempe p̄ris mei · hiis testib; D⁹no hub⁹to Eboꝝ decano Maḡro Thoñ de Melsa Rogo fil. hugonis Wittmo filio Witti Rogo de s̄cō Germano Johe p̄sona de bolum Nicho de heddun Gilb⁹to de heton Robto chico bernardi de bfl Gidone de Beaurein hugone de s̄cō Germano Petro de Wimbis Reginaldo de horney · Thoñ filio Nichi ⁊ p̄tib; aliis.†

304. b.

VI.—De eadem.

Wido de Balliolo omib; amicis suis francis ⁊ anglis ⁊ oib; s̄cē ecclīe fidelib; salutē · Sciatis me concessisse ⁊ hac mea carta confirmasse deo ⁊ s̄cē marie Eboꝝ ⁊ monachis ibidem deo ſ̄vientib; ecclīam de Geynesford cū omib; p̄tiñ suis in purā ⁊ p̄petuā elemosinā quā Bernardus de Bafl eidem Abbie pat⁹ meus concessit ⁊ carta sua confirmavit sicut Wido de

* A younger son of Bernard Baliol, the second.

† Vid. Dugdale's Mon. Ang. Vol. iii., p. 551—Ex autographo in Bibl. Hatton.

Bat̃ eādem ecc̃iam p̃fato moñ dedit ⁊ carta sua conf̃mavit p salute aīe mee ⁊ p̃ris mei ⁊ m̃ris mee ⁊ oīi pentu meoꝝ. Testib; h̃iis martino Abbe s̃c̃e Agathe* Arnaldo so.....gina Wifmo de Stokesley ⁊ Reynero fr̃e eius Ughtredo sac̃dote osmundo sac̃dote Roꝑro de Ask Bernardo Scrabone Berdc heliscurt Raðo Brimoosted ⁊ aliis multis. 304^b.

VII.—Appācō ecc̃ie de Gaynesford p Eḡm Dunel̃m.

Hugo† dei grā Dunel̃m eḡc P̃ori S̃c̃i Cuthḡti ⁊ archidiaconis ⁊ oīb; eiꝰdē ecc̃ie filiis tam c̃icis q̃m laicis tā p̃sentib; q̃m fũris salutē · Sciatis nos deo ⁊ moñ s̃c̃e marie Eboꝝ ⁊ monachis ejusdem loci concessisse ⁊ p̃senti carta confirmasse ecc̃iam de Gaynesford cū capella de castello (*sic*) ⁊ aliis p̃tinent̃ suis usib; vid̃t p̃dcoꝝ monachoꝝ oīi modo p fũra salua reũencia ⁊ debito mat̃cis dunel̃m ecc̃ie · Testib; h̃iis priore Absaḡ ⁊ subp̃ore heñr ⁊ Alano monacho ⁊ Wiffo fil. tosti Theobaldo c̃ico ⁊ maꝑro Thoñ de Sex auaals ⁊ helia c̃ico ⁊ multis aliis. 305.

VIII.—L'ra p̃t̃oria.

H.ḡ dei grā Dunel̃m Eḡc oīib; officialib; suis epat° Dunel̃m ⁊ uniūsis bat̃is suis salutē sciatis nos suscepisse sub p̃tecōne ñra ⁊ manutenemento diuin. Abḡem ⁊ monachos Eboꝝ tanq̃m sp̃ales amicos ñros ⁊ oēs hoīes ⁊ res ⁊ possessiones suas quas in ēpatu ñro possident max̃ie ec̃iam de Gaynesford cū suis p̃tiñ Ita qđ qui eis forisfẽct vel de ecc̃ia de Gaynesford vel de aliquib; p̃tiñ suis vel de aliquib; que eos contingūt nobis f̃c̃m esse reputabim° unde vobis mandam° ⁊ p̃cipim° q̃atin° p̃dcõs Abḡem ⁊ monachos ⁊ oīia que in ēpatu ñro eos cōtingūt sicut ñra dñĩca intuetis manuteneatis ⁊ p̃tegatis ⁊ max̃ie monachū ⁊ hoīes eoꝝ qui loco eoꝝ sunt in ecc̃ia de Gaynesford nec sustineatis qđ aliquis eis vel suis molestia inferat vel grauamen · val̃ē 305.

IX.—Licencia p̃sentandi ad ecc̃iam de Gaynesford.

Phus|| dei grā Dunel̃m eḡc oīib; ad quos p̃sens s̃c̃ptū p̃ue-

* This Abbot of Easby, near Richmond, is not mentioned in Dr. Whitaker's list.

† Hugh Pudsey, nephew of King Stephen; Bishop of Durham, 20th Jan. 1152 to March 3rd 1194.

‡ Absalom Prior of Durham Abbey, 1154 to 1158.—*Raine's Brief Acct. of Dur. Cath.* p. 155.

§ Hugh Pudsey, ut supra.

|| Philip de Poicteu, Bishop of Durham, 1195 to 22 April, 1208.—*Dugd. Baron.*, vol. i., p. 63.

ñit salēm in dño Sciatis nos concessisse ⁊ p̃senti carta confirmasse eccl̃ie sc̃e marie Eboꝝ ⁊ monachis ibidem deo ſuientibꝫ ⁊ ſuitoris liberū jus p̃ſentandi idoneam p̃ſonā ad eccl̃iam de Geynesford . ſicut in cartis Guidonis de baſſo ſenioris ⁊ he' dū ſuoꝝ continet' . hiis teſtibꝫ R.* p̃ore Giſburn Aimicoꝝ Archid Dunel̃m maꝝro Johe de London maꝝr p. de Shirburne maꝝro Wiflmo Bleſeñ maꝝro Robt de Adington maꝝro Aleſo Nolano hymb^oto capllo P̃ho faucōberge ⁊ aliis multis. ‡ 305

X.—Conť Bernardū c̃iēm ſup̃ eccl̃ia de Geynesford.

Sciāt om̃es qui vident vel audient tras has qđ ego G. § Abbs eccl̃ie be marie Eboꝝ cū cōi conſilio ⁊ aſſenſu capl̃li ñri conceſſi ⁊ dedi Bernardo c̃lico filio hugonis de Baillol tenere de nobis in vita ſua in elemoſinā eccl̃iam de Gaynesford cū capella de Caſtello Bernardi ⁊ cū cet̃is om̃ibꝫ p̃tiñ ſuis. Reddet autē idem B. Abbie ñro annuatī p̃ ead̃ eccl̃ia tres marcas argenti . dī ſciīt in feſtuitate b̃toꝝ Aploꝝ pet' ⁊ pauli ⁊ dī in feſto ſc̃i martini . et inſup̃ c̃palia jura p̃ſoluet . hoc vero ſciendū eſt qđ qđo hanc eccl̃iam eidem Bernardo conceſſim^o ipe corā multis p̃bis hoībꝫ fidelitate nobis fecit de hac poſſeſſione de p̃dcis t̃bis m̃rcis fidei r̃ noſ p̃ſoluendis. T' hiis Iocelino capllo . Walto capllo . Ada de Dañ Thoñ de holteby ⁊ aliis. 305

XI.—Confirmacio Thome Cantuarie Archiepi || de eccl̃ia de Gaynesford.

T. dei grā Canť Archiepi Angloꝝ p̃mas ⁊ aplice ſedis legat^o uniūſis ſc̃e eccl̃ie fidelibꝫ ſalutē. In ap̃lificaōne bonoꝝ eccl̃ie dei ſtudiū ⁊ diligenciā adhibere ⁊ in uſus diuinos pie collata fouere ⁊ firmare : piū ⁊ ſc̃m eſt et ad ñram p̃cipue ſpectat ſollicitudinē . Inde eſt qđ donaōem eccl̃iaꝝ ⁊ traꝝ quā Guido de Baillol dedit ⁊ conceſſit in p̃petuā elemoſinā eccl̃ie be marie Eboꝝ ⁊ monachis eiꝫ ſc̃iīt eccl̃iam de Stokesley ⁊ unā carucat' t̃re in eadem villa ⁊ deciam dñij eiꝫ ſc̃iīt eccl̃iam de Geynesford ⁊ duas bouatas t̃re ⁊ deciam dominiij eiꝫ ſc̃iīt eccl̃iam de Steynton ⁊ duas bouat' t̃re

* Roe's Prior of Gu'sbrough co. Yorks., occurs 1196 and 1211.—*Burton's Mon. Ebor.*

† Aimeric, nephew to the Bishop, Philip of Poiteau—a ſeque' & attor of his Chancery—occurs as Archdeacon of Durham, 1198 to 1214.

‡ This document is entered again in fol. 310 of the Charters.

§ Godfrid, abbot of St. Mary's, 1131 to 17th July 1152.

|| Thomas à Becket, consecrated archbishop of Canterbury 1162, murdered 28 Dec. 1170.

et deciam domini eiusde ville nos concedim⁹ et auce qua fungim^r eis inppetuū confirmam⁹ phibentes sub anathemate ne quis in bona manum violentā extendat nec fratribz p̄dcis iniuriā inferre vel inq̄etacōem mouere attēptet valt. 305^b

XII.—Conf Ricm francignā de ij boū t̄re in Ganesford.

Sciant omēs qui vid⁹int vel audierint t̄ras has qđ ego Rob⁹tus Abbs ecclie S̄cē Marie Eboz* cū cōi consilio et assensu totius capli n̄ri concessi et p̄senti carta confirmaui Ricō francigene et he⁹dibz suis tenere de nobis in feodo et he⁹ditate libere et quiete et honorifice duas bouatas t̄re in pochia ecclie de Gaynesford. Scilt viginti acras in villa que vocat^r Sum̄hous cū p̄tiñ et viginti acras t̄re et quatuor in Denton cū p̄tiñ. Reddent autē nobis p̄dcus Ricus et he⁹des sui p̄ cadem t̄ra singulis annis duos solidū medietatē in penē et medietatē in festo s̄ci martini et n̄rici ecclie de Gaynesford duos solidū in pasch p̄ oī s̄uicō ad nos p̄tiente. Hoc eis concedim⁹ qđ diu se legalit̄ erga nos habuerint et p̄sc̄pta pensionē bene reddidint si vero contiḡit eos vi vel fōne p̄dcam t̄ram amittē non dabim⁹ eis escambiū. hiis testibz Gilb⁹to de Lacy p̄sona de Gaynesford p̄ho clico Walto batail. Walto de Boyngton Rob⁹to supe Rado de longauill Ricō de Camera Rob⁹to Batcheler Sampson e⁹lico Abbs Osberto Janitore. 305^b

XIII.—Carta Emme et Margarete et R. Beneit sup̄ viginē et quatuor acris terre in Sumerusum.

Notū sit om̄ibz tam futuris qđm p̄sentibz qđ ego Emma et margareta filia mea et Rob⁹tus Beneijt vir ip̄ius dedim⁹ et concessim⁹ et hac carta n̄ra confirmam⁹ et sigillo dñi n̄ri Bernardi de Baiff coroboraui⁹ in purā et ppetuā elemosinā deo et ecclie s̄ci Cuthb⁹ti de Gaynesford p̄ capella fienda infra v⁹iam de Sum̄hous xx^{ti} acras t̄re et unā acram p̄ti et unū toftū et unū croftū quantū p̄tinet duabz bouatis terre ex pp̄io dominio n̄ro et pasturā cōem C. ouibz et duobz equis et xvi aīalibz. et x porcis pascendis infra cōem ville p̄dce pasturā. Et Sciend est qđ ad recōpensaōem hui⁹ rei concessit ip̄a ma^r ecclia de Gaynesford et p̄sona eiusdem ecclie qđ caplis de Gaynesford p̄ tres dies in unaqua septiana uni⁹cui⁹q̄ anni scilt p̄ma et iiij^{ta} et vj^{ta} feria infra p̄dcam capellā missam celebrabit et nisi

* This was either Robert de Harpham, abbot from 1181 until his death on the 19th of April 1189; or his successor, Robert de Longo Campo, who died 3rd Jan. 1239.

forte aliquo ecclesiastico impeditus fuit negotio : Saluo tamen jure mat̃s ecclie in om̃ib; . Pretea sciend̃ est qđ nos debem⁹ puidere p̃noiate capelle tam in libris q̃m in vestimentis quicquid op⁹ fuit ad diuinū officiū celeb⁹ndū . Si autem aliquid de ēpalib; capelle ptinuerit : ĩp̃a capella in om̃ib; psoluet . Testib; huġ cap̃to . Petro cap̃to . Walto cap̃to dñi Bernardi de Baif . Gilb⁹to de Laual . Rogo fr̃e eius Waldevo de Beresford Nicho de Hedon Reginaldo de Neuton . Wilmo martel Rogo de S̃co Germano . helia Camario . maġro Osb⁹to Rob⁹to de Bothale . Nicho de enunilli . Edmundo de Scton. 306

XIV.—Contra Bernardum de Baillol de ecclia de Gaynesford.

Notū sit om̃ib; legentib; vel audientib; tras has : hoc esse plocutū de ecclia de Gaynesford in ĩ Sauaricū* Abbem ĩ monachos s̃ce marie Eboz ĩ Bernardū de Balliolo qđ si uiuente Bernardo de Balliolo ĩ p̃mo he⁹de suo post ĩp̃m vent⁹o psonā pfate ecclie de Gaynesford puidere cōtig̃it ĩpe Bernardus vel heres suus talem eliget psonā que legitima sit electāq. Abbi ĩ monach̃ s̃ce Marie Eboz t⁹nsmittet . Abbs ṽo sola sua auc⁹te eā ep̃o Dunelm̃ p̃sentabit . Suscipiens autē psona eccliam Abbi ĩ monach̃ p sac̃mentū fidelitatis alligabit : De beneficiis ĩ sepedcē ecclie retinet Abbs in manu sua uiuente Bernardo ĩ he⁹de suo p̃mo post ĩp̃m venturo : singulis annis xl solid̃ quos reddet ei cl̃ici qui ĩnt̃im vnebunt eccliam : Postq̃m vero mortui fuerit Bernardus ĩ heres suus p̃mus : nichil ult̃ius ptinebit ad aliquē suoz successoz de eligenda psona s; taġ p Abbem ĩ monachos se ĩnt̃mittet de ecclia qui idoneus erit . ĩ ĩp̃a ecclia postea remanebit monast̃io s̃ce marie Eboz soluta ĩ quieta ĩ lib⁹a ab ōi consuetudine ĩrena sicut pura ĩ ppetua elemosina est . Testib; Ingelramo de Baif . Walto de heding. Daniele fit Walto . Paulino medico hereb⁹to de Doura cl̃ico Bernardo de Baiff Raynero de Stokesley Elsi de Neuton . Walto de Abbeuill. 306.

XV.—De eadem.

Amantissimo p̃ri ĩ dño h.† dei grā Dunelm̃ ep̃o frat̃ Lauř St̃itatis ṽre ĩu⁹ quicquid filius p̃ri vel ĩvus dño . Q̃m deus ṽitas est : ṽitat̃i testiōiū negare non debem⁹ memorit̃ teneo ĩ

* Savaricus, abbot of St. Mary's, 1132 to 3rd April, 1161.

† Hugh Pudsey, Bishop of Durham, ut supra. William de St. Barbara, his predecessor, elected 14th March 1152, consecrated 20th June, 1152, ob. 14th Nov. 1152.

vacit^{ur} attestor qđ Warin^o p̃sbr de Gaynesford coram Reuentis-
simo dño meo p̃decessore ṽro pie recordačōis ⁊ be memorie
Guiffo ep̃o p̃sentibz ranñ archidiacono* rađ de Sčā colūba ⁊
quibzdā aliis • me ⁊ assidente ⁊ audiente confessus est qđ vi-
dit mo^ochos ecclie be marie Eboz aliquo temp̃e iuestitos de
ecclia de Gaynesford ⁊ post modū inde p violenciā quozdā
homī eictos • Istud testificor ⁊ sicut iusticia dictauit ⁊ ṽbo
⁊ ope p̃atus sū asserere • valeat imp̃petuū sincitas ṽra. 306.

XVI.—De eadem.

Oñibz has iras visur^{us} vel auditur^{us} Gilb^otus de laci salutē •
Nouit uniuersitas ṽra me ex donačōne monachoz sčē marie
Eboz recepissee ecclias Sciit de Gaynesford ⁊ de Castello
Bernardi et de Middelton cū oibz p̃tiñ suis tenend de eisdem
monachis in elemosinis in vita mea ⁊ ad eoz p̃sentacōem in
eisdem ecclijs institutū esse canōice Reddendo eis annuatī
centū solidos sexaginta sciit p duabz garbis totius p̃ochie tam
de Gaynefford qm de castello Bernardi ⁊ de Middelton cū
oñibz p̃tiñ ⁊ quadraginta solidos p lcia garba ⁊ p oñibz
obuenčōibz altariū • medietatē ad festū sčī martini ⁊ medietē
ad Penē. et ep̃alia iura psoluam ⁊ oñia onera sustentebo.
hoc fidelit^{er} suandū inspectis sacroštis iuravi ⁊ huic sc̃pto
sigillū meū in testiōiu apposui • hiis testibz Rogo de Beau-
vent henr de longo campo† Mağro miche de hadeh^m mağro
miche de clauilla Mağro P̃ho Ruffo • Nicho de Traili • Pet^o
de Shireburn Wiffmo de harph^m† • Aleřo Baeno • Walfo
Batail. 306^b.

XVII.—De Eadē.

N.† dei gr̃a Dunelm̃ ep̃c dilectis in xp̃o Ab̃bi filiis ⁊ Con^{tu}
sčē mař Eboz sařm gr̃ām ⁊ bn • ṽram nullaten^o credim^o latere
discrečōem nos ad instanciā Rectoris ecclie de Gaynesford ñre
dioč ⁊ amicoz dci Rectoris vobis p̃cantibz in p̃iudiciū Juris-
dicčōis ñre ⁊ aiaž p̃fate pochie decineť vicariā in eadē ecclia
ordinare ⁊ vicarium in eadem canōice institutere hacten^o distu-
lissee • pp̃tquod tam dūm pp^m q^m p̃fatū Rectorē ⁊ amicos
suos p clicos ñros in dca Curia fecim^o in p̃pellari ut non

* Ranulph, archdeacon of Northumberland, occurs between 1140 and 1153; and again in 1153.—*Ang. Sac.*, i. 786-7.

† Probably monks of St. Mary's, and kinsmen of the Abbots Longchamp and Harpham.

‡ Nicholas de Farnham, elected Bishop of Durham 2nd Jan. 1241: resigned 1248.

obstantibꝫ p̃fatis impedimentis · liceret nobis c̃ca p̃dcā officiū
ñrm ex^o cere 7 p̃dcē eccl̃ie sup̃ suis defectibꝫ remediū adhibere
qui Rector cl̃icis ñris p̃ut nobis intimarūt respondit qđ tam
sue q^am amicoꝝ suoꝝ placeret voluntati ut in d̃cā eccl̃ia vica-
ria cōpetens 7 sufficiens ordinaret^r 7 vicarius qui p̃ tempe ad-
m̃istraçōis sue p̃ cura aīaz quaten^o scđm deum posset respon-
dere in eadem instituet^r duñ^o porçō centū libraz de puen-
tibꝫ d̃cē eccl̃ie sibi integre remanet · Qua p̃p̃t vobis mandam^o
quatin^o in crastino scē Lucie ṽginis p̃ legitimū p̃curatorē
apud Gaynesford corā nobis vel cl̃icis ñris si viditis vobis
expedire compeatis scituri p̃ c̃to qđ officiū ñrm c̃ca p̃dcā ex^o-
cere ultius differre nolum^o n^c debem^o · Dať apud Aucklend ij
die Decem̃br pont̃ ñri A^o octauo. 306^b.

XVIII.—Firmaçō Cap̃l̃i Dunelm̃ de vicař de Gaynesford.*

Oñibꝫ x̃pi fidelibꝫ p̃sens sc̃ptū visuř vel audituř hugo P̃or
7 Cap̃m Dunelm̃ eccl̃ie sałm in d̃no · Nouitis nos inspexisse
cōmissionē d̃ni R. dei gr̃a Dunelm̃ ep̃i sup̃ ordinaçōe taxa-
çōne moderaçōne vel pacis cōposiçōne de vicaria eccl̃ie de
Gaynesford mađro Rogo de herteburn suo Offiç concessā in
hec ṽba. R. dei gr̃a Dunelm̃ ep̃c dilcō cl̃ico 7 offiç suo mađro
Rogo de herteburn salutē grām 7 benedicçōem · In negoçō
seu causa quod vel que ṽtit^r seu ṽti sperat^r inť Reliğ viros
Ab̃bem 7 Con^{tum} Scē marie Eboꝝ ex pte una 7 Wifm vicariū
eccl̃ie de Gaynefford ex altā sup̃ vicaria d̃cē eccl̃ie de Gayne-
fford ñre dioç taxanda seu mod^aanda 7 ad ordinand^u de eadem
seu statuend^u judiçō vel concordia si de pciū voluntate p̃ces-
serit ṽices ñras comittim^o firmū 7 stabile hituri quicqꝫ c̃ca
p̃fatam vicař taxando moderando ordinando statuendo seu
eçiam confirmando dux^ois faciend^u. In cui^o rei testiōiū p̃sens
sc̃ptū sigilli ñri apposiçōne fecim^o cōmuniri. Dať apud Ric-
hale xvij kat̃ Julij Pont̃ ñri anno p̃mo. necnon 7 ordiaçōem
d̃ci mađri R. de Herteburn de consensu pciū sup̃ d̃cē vicarie
ordinaçōe taxaçōne moderaçōne seu pacis compōne in hec ṽba.
In noīe p̃ris 7 filij 7 sp̃c sc̃i Amen. Orta dudū inť Reliğ vi-
ros Ab̃bem 7 Con^{tum} scē marie Eboꝝ ex pte una 7 Wifm
Roundel vicař eccl̃ie de Gaynesford ex altā sup̃ taxaçōne 7

* This Instrument is entered in the Chartulary of Durham Abbey, vol. i., part 2, p. 2, as appears by a transcript among Dr. Hunter's MSS. in the Dean and Chapter's Library there, vol. iii., p. 51.

mod^o acōne vicarie eiusdē ecclīe auct^e bone memorie Walⁱ quondā Dunelmⁱ epī inmod^oate ⁊ contra iusticiā ac sedis aplice pⁱilegiū fēcā ut ijdē Religiosi dicebant coram nobis magro R. de Herteburn dñi R. dei grā Dunelmⁱ epī offi^c ⁊ ipius Comissario spali in nego^co memorato matⁱa questionis ex pte dcoz Religiosoz fuit ppositū corā nobis dcam vicariā avct^e ap^{la} usq; ad summā q^udraginta marcaz añua^z tñ modo fuisse taxatā ⁊ postea auct^e bone memorie W. q^undā Dunelmⁱ epī usq; ad Sūmā quat^r viginti marcaz annua^z ⁊ ampli^o indebite adauctā. Tandē mediantib; nobis ⁊ magistro Rogo de Laicestr^e clico ⁊ alijs amicis cōib; in forma amicabile inferi^o contenta conq^ueuit. videlicet qđ idem vicari^o p se ⁊ successorib; suis noīe dce vicarie constituit ⁊ concessit ac in manib; dci Abbis de nris approbacione ⁊ consensu pure ⁊ absolute resignavit omēs decias garbaz de Sumerhous ⁊ unū toftū ⁊ croftū cū tota t^ra ⁊ prato que hūit ⁊ tenuit idem vicari^o in villa de Querington ⁊ omēs decias feni de t^b; villis in dca pochiā pēpiendis vide^t de Querington Ledwys ⁊ Westwyc ac mansū sibi assignatū in villa de Castro Bernardi. Ita qđ decie predce t^ra ⁊ pratū mans^o ⁊ omia alia supradca remaneant ⁊ accrescant ex nūc Religiosis sepedcis rone dce ecclīe sue de Gaynesford q^m in usus pp^os optinent inppetuum. Dci vero Reli^g noīe moñ sui voluerūt ⁊ concesserunt eidem vicario ⁊ successorib; suis qui p tempe fuerint omēs ⁊ singlas alias minutas decias oblaciones obuencōes cū domib; suis apud Gaynesford ⁊ t^ra de Staynton in quaz possessione vel quasi idem vicari^o tempe hui^o compōnis exis-tebat. Ita tñ qđ dēus vicari^o ⁊ uniūsi successores sui omia onera epalia ⁊ Archidiaconalia tam matⁱcis ecclīe de Gaynesford q^m omi capella^z suaz sustinebunt una cum omib; libroz vestimentoz capillis ⁊ cficis ydoneis ⁊ repacōis Cancelloz ac alioz ornamentoz in dca ecclīa ⁊ suis capellis necessarioz. nos autē dcam compōnem ratā ⁊ gratam hēntes ipam auct^e nobis in hac pte comissa confirmam^o ⁊ p^rsentis sc^ripti patēcinio cōmunim^o oēm autē ordinacōem ⁊ taxa^cōem auctoritate dci dñi. W. sup dca vicaria fcam ⁊ cassam^o irritam^o ⁊ uirib; carere decim^o. In cui^o rei testiōiū p^rsentib; tris cirographatis sigillū nrm est appensū. Da^t apud Dunelmⁱ xij. kal Julij A^o dñi millimo CC^olx^o p^rmo in p^rsencia subsc^ripto^z magroz Robti de Sca Agatha archidⁱ Dunelmⁱ, Rogi de Sayton, Ranulph huckleby. Pat^rcij offi^c p^rfati archidⁱ. Ri^c de Malteby. W. tunc

Scolaŝ maĝri. Rič tūc vicař de midelh^m. Gilt de Rokeby. Johis de Thorp, 7 alioŝ.—Nos gⁱ dčam ordinacōem modera-
cōem 7 pacis conpōnem sup dčā vicaria auct^e ĉpali p p̄fatum
maĝrm R. scđm tenorem ordinacōnis de consensu p̄ciū inītā
7 confectā ratam 7 gratam in omib; hentes ip̄am quantū in
nobis est confirmam^o 7 nri sigilli cōis munimine roboramus.
Dař apud Dunelm̄ x kañ Julij anni p̄dči. 307.

XIX.—Fčm Offič Dunolm̄ de ead vicaria.

Me^d. qđ cū felicis recordacōnis Innocenti^o p̄p^a q^{rtus} con-
tulisset viris Reliĝ Abbi 7 Con^{tui} scē marie Eboŝ eccliam de
Ganesford Dunelm̄ dioč in usus p̄p^{os} g^{aciā} ubiorem eisdem
Reliĝ faciendo videlř qđ non tenent^r infra decem annos p̄xiō
subsequentes vicariū constitūre in eadem post decursum vero
decem annoŝ a tempe collacōis p̄dče Idem đns p̄p^a vicariā
usq; ad quadraginta marč annuas dūtaxat ordinavit 7 taxavit
in ecclia memorata iđdem Reliĝ piculū aiāŝ considerantes infra
tempus gře eisdem concesse đm Wiltm Roundel ad vicariā
supradčam p̄sentarunt bone memorie dno Waltero Dunelm̄
ēpo loci diocesano qui ip̄m admittens ad eandē p̄cessu t̄pis
dčam vicariā cont^a taxacōem auct^e aplica fčam ip̄is Reliĝ
reclamantib; adauxit immensū cui^o reclamačōis p̄textu dčus
ēps sibi 7 successor̄ suis potestate 7 auctoritatē alitⁱ ordinandi
7 mod^oandi dčam vicariā reŝuauit. Demū dčō ēpo uniūse car-
nis viam ingresso venīabit pař đns R. dei gđa Successor eius-
dem volens inequalia ad equalitatē reducē 7 ea que retro t̄pi-
b; min^o bene p̄cesserant in melius reformare dčos reliĝ 7 vicariū
fecit citari corā maĝro Roĝo de Herteburn tunc Offič suo in
ecclia de Gaynesford die ven̄ris p̄xiā post đnicam qua cantat^r
quasi modo geniti* anno đni M^oCC^o sexagesimo p̄mo quib;
die 7 loco cōpuerunt dči Reliĝ corā offič memorato p̄ frēm
Eudonē monachū p̄curatorē suum t̄me constitutum p̄dco vi-
cario personaliř cōpente. Et cū intⁱ ip̄os super taxacione 7
moderacione vicarie sup^adče aliquantulū esset alitⁱcatum nego-
cium cepit differri sub spe pacis usq; ad diem Jouis p̄x ante
festum scī Dunstani corā dčō offič tractando quo die cōpu-
erunt p̄tes personaliř 7 de pace tractantes q^{ndam} formā pacis
inierunt mediantib; dčō offič 7 quib; dā aliis cōib; amicis sup
qua forma cōplenda 7 confirmanda fuerunt dci Reliĝ 7 vica-

* The Introit and name of the first Sunday after Easter.

rius antedcūs ex citacione Offiĉ memorati diem crastinū sĉe t'nitatis peremptoriū in galilea Dunelm̃ ecclie ad recipiend super forma p'dcā iusticie cōplementū ⁊ dōe pacis pnūciacōem seu publacionem audiend . Quibz die ⁊ loco cōpentibz Religiosis antedcīs p f'rem Eudonē memoratū pcuratorē suū timū cōpuit vicarius sup^a dcūs psonalit̃ ⁊ de eoꝝ concensu Offiĉ memoratus in pleno consistorio dñi Dunelm̃ antedcī . dcam formam pacis auct^e dñi sui sibi spaliit̃ in hac pte cōmissa put in quōda instfio sup hoc cōfecto sigillo dci Offiĉ signato pleni^o continet^r confirmavit . Iniūgendo sub pena excōicacionis dco vicario qđ restituat Religiosis antedcīs t'ram ap'licam auct^e cui^o f'ca fuit taxacio quadraginta marcaꝝ ⁊ om̃ia alia instrumenta p'sens negociū contingencia . F'ca fuit hec publicacio in p'sencia maꝝroꝝ Robi de S'ca Agatha archid Dunelm̃ . Pa'cij Offiĉ eiusdem, Rogi de Seyton tūc custodis leprosoꝝ de Shirkburn, Raði de hucgelby . Riĉi de Malteby . W. tunc maꝝr Scholaꝝ Dunelm̃ ⁊ dnoꝝ, Riĉi vicarij de Midelh^m, Gilb'ti de Rokeby . Johis de Thorp, ⁊ alioꝝ . In quoꝝ om̃i p'missoꝝ testiōiū p'senti memorando sigill^o dci Offiĉ est appensū in crastino sĉe T'nitatis anno g're milimo ducentissimo sexagesimo p'mo. 307^b.

XX.—Ordinacio vicarie de Gaynesford p offiĉ Dunelm̃ Epi Cōmissař Epi Dunelm̃. *This document and the following,*

XXI.—Cōmissio epi Dunelm̃ sup vicař de Ganesford taxand, *are recited in No. xviii.*

XXIJ.—De eadem.

Uniūsis xpī fidelibz p'sentes t'ras inspectuř W. Decanus ⁊ capitlm̃ ecclie b'ti Petri Eboꝝ e'ñā in dño salutē . Uniūsitati v're notū facim^o cōmissioni veñabil' pat's dñi R. quondā Dunelm̃ Epi necnon ⁊ ordinacionem maꝝr R. de Hertburn Offiĉ ac spalis Cōmisarij dñi Epi una cū confirmacione p'oris ⁊ Cap'i'li ecclie Dunolm̃ non cancellatas nō abolitas nec in aliqua sui pte viciatas inspexisse in hec v'ba. R. dei g'ra Dunolm̃ e'ps. [*Here follows Hertburn's Commission; then his Ordination, as in No. xx, commencing, In nōie patris, and ending with Johis de Thorp ⁊ alioꝝ; and next the Confirmation of the Prior and Convent of Durham, No. xviii, wherein both these foregoing documents are recited.*] In cui^o rei testiōiū Sigillum capi'li n'ri p'sentibz fecim^o apponi. 308-9^b.

XXIIJ.—Transcriptū bulle sup ecclia de Gaynesford.

Uniūsis xpī fidelibz p̄sentes iras inspectuŕ W. decan^o ⁊ Capitlm ecclie bti Petri Eboz eŕnā in dño salutē. Uniūsitati v̄re notū facim^o nos iras felicitis recordacionis dñi p̄pe Innocentij quarti non cancellatas nō abolitas nec in aliqua sui pte viciatas inspexisse in hec v̄ba. INNOCENCIUS Ep̄us s̄uus s̄uoꝝ dei vcñabit fratⁱ ep̄o Dunelm̄ salutē ⁊ Ap̄licam benedicōem . ex pte dilectoꝝ filioꝝ Abbis ⁊ Cōnt^o scē marie Eboz ordinis scī benedēi fuit nobis hūilī sup̄plicatū ut cū eis dux^oim^o indulgendū ut in ecclia eoꝝ de Gaynesford que est ip̄ius in usus pp̄ios p sedem ap̄licam app̄ata Dunelm̄ dioč possint p octo annos p aliquos ip̄ius moñ monachos face^o deſuire ⁊ int̄im non teneant^r ad eccliam ip̄am aliquē vicař p̄sentare in eadem ecclia ppetuū vicariū institui facem^o. Quoçca f̄rnitati tue p ap̄lica sc̄ipta mandam^o quatin^o si est ita taxes in eadem ecclia ppetuā vicař ⁊ adiungtas ad p̄sentacōnē p̄dcoꝝ Abbis ⁊ Cōnt^o ppetuū vicariū ad candem assignatur^o eidem vicař de bonis p̄dce ecclie annuū reditū quadraginta marcaꝝ tantū p sustentacōne sua ⁊ ep̄alibz ac alijs consuetis oneribz supportandis duñ redditus hui^o moī ad hoc sufficē dinoscat^r. Dať Perusij q̄nto . coñ m^oreij Ponť n̄ri anno nono.

INNOCENCI^o Ep̄s s̄uus s̄uoꝝ dei. Dilc̄is filijs Abbi ⁊ con^{tui} moñ scē mař Eboz salutē ⁊ ap̄licam benedicōnē. Cū bone memorie G. scī Adriani diacono cardinali viam uniūse carnis inḡsso nos eccliam de Geynesford Dunelm̄ Dioč quā idem Cardinať optinuerat ⁊ in qua uos ius pat^onat^o hētis Diſco filio Opicioni de scō viſle nepoti ⁊ Capl̄o n̄ro canōice Parmēñ dux^oim^o conf̄ndā nos deuocōnis v̄re p̄cibz inclinati p̄sentū vobis aučte concedim^o ut eodem canōico cedente vcl decedente eccliam ip̄am in pp̄ios usus conūte^o ac auctoritate n̄ra p̄pius possessioni ingredi ac eā retinere libe valeatis cont^odicōne aliqua Dioč ep̄i seu cui^ocūq; alt^o non obſtante dūmodo p̄dcm nepotē n̄rm sup eadem ecclia nullaten^o pturbetis ⁊ vicariis qui p tempe ſuierint in eadem assignetis talem de ip̄ius puen- tibz porcōnem qđ ex ea congrue sustentari valeant ⁊ iura ep̄alia ac alia ip̄ius ecclie oñia sustinere. Nulli g^omoio hoī liceat hanc paginā n̄re concessionis inf̄nge^o vel ei ausu temario cont^oire. Si quis autem hoc attēptare p̄sūp̄sit indignacōm oīpotentis dei ⁊ btoꝝ petⁱ ⁊ pauli ap̄loꝝ eius se nouit inc^osurū. Dať Lugduñ iij kł Septemb̄r Ponť n̄ri anno 1cio.—In cui^o

rei testiōiū ad supplicacōm dcoz Abbis ⁊ Cōnt^o huic p̄senti sc̄pto sigillū capīli n̄ri fecim^o apponi. Dať Eboz xvi kl Septem̄r anno gr̄e millimo cc^oLXX^o septimo. 310.

XXIIIIJ.—Licen̄ facta p̄ P. Dunelm̄ Ep̄m Abbi sc̄e mař Eboz de p̄sentacōne p̄sone ad eccliam de Gaynesford.—*Entered before, as No. IX.*

XXV.—Carta B. de Balliol de ecclia de Gaynesford.—*Entered before, as No. IV.*

XXVIJ.—Carta h. de B. sup̄ aduocacōne eiusdem ecclie.—*Entered before, as No. III.*

XXVIJ.—De eadcm.—Fol. 310^b.

Ōmibz xpi fidelibz ad quos p̄sentes ĩre pueniunt. Waltus dei gr̄a Eboz Archieps Angl̄ prim̄ Salutē in dno. Nouitis qđ vacante sede Dunelm̄ magro Alexo Nolano ĩras n̄ras confecim^o in hec v̄ba.—Ōmibz xpi fidelibz ad quos p̄sens sc̄ptū puenit. Waltus dei gr̄a Eboz Archieps Angl̄ Primas salutē in dno. Nouitis nos ad p̄sentacōnem dīlcoz filioz Abbis ⁊ Cōnt^o sc̄e marie Eboz p̄ronoz ecclie de Geynesford vacante sede Dunelm̄ auctoritate metropolitana dīc̄m filiū magr̄m Alexm Nolanū ad p̄sonatū eiusdem ecclie admississe ĩpmq; in eā p̄sonā canōice instituisse ⁊ in cor̄palem eiusdem ecclie possessionē cū ōmibz ad eam ptinentibz induci fecisse. Qđ ut ratū stabile pseueret impos̄tm p̄senti sc̄pto sigillū n̄rm duxim^o apponend̄. Testibz magro Rob^oto haget Canōico Eboz, Mathio de Cantilupe de Richeñ, Reginaldo de Stowā, Gilb^oto de hextildesh, Wifmo martell milite, Alano cl^oico, Rob^oto de Swinlington cl^oico, ⁊ aliis. Dať apđ Derlington iiij^{to} Noñ maij Ponť n̄ri anno vicesimo secundo. In cui^o rei testiōiū p̄sentes ĩras sigilli n̄ri munimine fecim^o roborauī. 311.

XXVIIJ.—Carta R. dei gr̄a Dunelm̄ Ep̄i de p̄sonatū ecclie p̄dce.

Ōmibz xpi fidelibz p̄sentes ĩras inspectuř Rič dei gr̄a Dunelm̄ ep̄s, salutē in dno. Nouit unīv̄sitas v̄ra nos ad p̄sentacōem viri ven̄ab̄ dñi R. Abbis sc̄e marie Eboz ⁊ eiusdem loci Coñt^o admississe Steph̄i clīc̄m ad p̄sonatū ecclie de Geynesford. Salua magro A. Nolañ vicaria quā habet in eadem ec-

cia. In hui⁹ rei testiōiū dēis Abbi ⁊ con^{tui} has tras nras patentēs concessim⁹. Dať p manū valentini cl^{ici} nri Lond^o quarto kať Decem̃br Ponť nri anno tercio. 311.

XXIX.—Obligacō Thoñ Chancellor de deť garbať castⁱ Berñ in pochi de Geynesford.

Oñibz xpi fidelibz pateat p p̃sentes qđ ego Thoñ Chaunceller Constabulař Castri Bernardi teneor ⁊ obligor Reliğ viris Abbi ⁊ Con^{tui} moñ bte marie Eboť in xxxiiij^{or} marč sterlingoť bone ⁊ legať monete pro decimis garbať Castri Bernardi in pochia de Geynesford mⁱ vendiť ⁊ tradiť de exitu autupni Anni Dⁿⁱ MⁱCCⁱ nonoť septimi soluend eisdem vel eoť pcuratoribz apud Castrū Bernard in festo bte margarete virginis pxie venturo. Ad quā quidm Soluēcōem dēis die ⁊ loco faciend obligo me ⁊ hered meos bona nra mobilia ⁊ imobilia juridicōni Offiē Dunelm̃ qui p tempe fuit ut nos iur ordinario seruato p suo libito eccl^{iastica} cohercōne coherceat ⁊ puniat quousq dēis Reliğ ut p̃mittit^r fuit satisfēm. In cui⁹ rei testiōiū sigillū meū p̃sentibz est appensū. Dať apud Castrū Bernard die venis pxie post cūcisionē dñi. 311.

XXX.—Obligacō Johis de halghtoñ, Rob^oti Traynell milīť, Ađe Bard, ⁊ Willⁱ Gretheued, de sexaginta libris argenti fca Abbi sēe mař Eboť.

Univ⁹sis xpi fidelibz ad quos p̃sentes tre pueniunt Joħes de Halghton ⁊ Rob^otus Traynell milites, Dunelm̃ dioč, Adam Bard de Queringtoñ ⁊ Will⁹ms Gretheued de Castro Bernardi salutē eñnam in dño. Nouit univ⁹sitas ṽra nos teneri p dño Aleħo de Balliolo Abbi sēe marie Eboť in sexaginta libris bonoť ⁊ legaliū s̃lingoť in quibz dēus Aleħ eide Abbi Ričo de Cerf ⁊ Ađe de Roma tenebat^r p duas obligacōnes p blado sibi vendito ⁊ soluto de quibusdam decimis garbať pochie de Gaynesford de exitu autupni anni dñi MⁱCCⁱ septuagesimi pⁱmi ⁊ septuagesimi s̃cli. Quas quidem sexaginta libras eide Abbi vel eius cto pcuratori presens scⁱptu penes se henti omi occōne cauillaēcōne difone ⁊ diminuēcōe cessantibz bona fide ⁊ solempni stiputone solue p̃mittim⁹ ad duos tminos infra sc̃ptos videlt triginta libras in festo Puř bte mař anno dñi Mⁱducentesimo septuagesimo quarto ⁊ triginta libras in festo pasche pxie sequent apud Eboť. Et si contingat nos qđ ab-

sit in solucone dce pecunie defice volum^o et concedim^o qd balti dni Regē uel D'ni dunelm̃ ep̃i qui p tempe fuunt bona nra mobilia et imobilia p̃sencia et futura capiant et vendant p sue libito voluntatis donec tota supra dca pecunia una cū dampnis intesse et exp̃nsis que vel quas d̃cus Ab̃bs in̄cerit occone dce pecunie suis t̃minis non solute eidem Ab̃bi a nobis plena et integralit̃ fuit psoluta. Sup quibz omibz volum^o et concedim^o simplici ṽbo ip̃ius Ab̃bis credi et ad p̃dca om̃ia facienda et ob̃suand obligam^o eidem Ab̃bi jure pignoris seu ypotecc om̃ia bona nra mobilia et imobilia ubicūq fuerint inuenta subicientes in hac pte nos et bona nra p̃dca tam jurisdic̃oi Offic Dunelm̃ qm̃ dist'ccoi vicecom̃ Dunelm̃ qui p tempe fuit, ut alt̃uter eoꝝ sine cause cognicone vel iudiciali indagine possit nos ad om̃ia supradca ob̃suanda cōpellere renūciantes in hac pte om̃i jure remedio ciuit et canōici regie phibicioni p̃uilegio fori excep̃coni edite de catalt et om̃i obieccōni p quā potit p̃sens sc̃ptū infirmari seu aliquaten^o impugnari. Et ad hec oīa supradca p̃d̃cis t̃m̃is fidelit̃ et sine dolo facienda et ob̃suanda un^oquisq nrm p se et he^odibz suis de toto debito memorato p̃ncipalē debitorē se constituit et t̃m̃is aduēientibz fide media se insolidū pacatorē obligavit. In quoz om̃i testiōiū sigilla nra p̃senti sc̃pto sunt appōita. Dať apud cellam sc̃i martini iuxta Richẽm die Lune p̃xie post festū sc̃i michis anno dni Milimo CC^o Septuag̃ quarto. 311^b.

XXXI.—Absoluco Rectorē ec̃cie de Geynesford p p̃orē Dunelm̃ a s̃niis suspencionis et ex̃cois ac in̄d̃ci in eadē ec̃cia p arreraĝ decie sexãnal dcam ec̃ciam contig̃.

Pateat uniṽsis p p̃sentes qd nos Willm̃s Prior ec̃cie Dunelm̃ Collector arreraĝ decie sexãnalis p d̃nm Nichm̃ p̃p̃m quartū dudū in Civitate et diõc Dunelm̃ impōite auc̃te sedis ap̃lice deputat^o et ocs et singlas s̃nias suspencionis ex̃cois et in̄d̃ci si que in Reuend̃ p̃rem Ab̃bem sc̃e marie Eboꝝ aliasve psonas moñ sui Eboꝝ offiē obedienciarior vel singlares psonas seu in ec̃ciam suā de Gaynisford occone dcoꝝ arreraĝ suis t̃mis nō solutoꝝ auc̃te hi^omōi et nra late fuunt quoq^o m^o in forma iurē relaxavim^o et relaxam^o ac ip̃os a d̃cis s̃nijs absoluim^o et denūciam^o p p̃sentes esse absolutos. In cui^o rei testiōiū p̃sentibz sigillū ñrum duxim^o apponend̃. Dať apud Beaurepayr̃ die m̃cuť p̃x post fm̃ sc̃i Jacobi Ap̃fi anno D'ni M^oCCC^o decimo. 311^b.

The following document has been inserted, in a careless scrawl, about the close of the fifteenth century.

XXXIJ.—Instrumētū publicū de sñia deffinitia dať cont^a Johz de Balliolo p cñis decimis contra iura recept̃.

In dei nōie A. Auditis ⁊ intellectē ac plenī^o recensitē meritē cause que vertebat̃ int̃ Wz Rovndale ppetuū Vicariū eccie de Gaynsford actorem ex una pte ⁊ Joħem de Balliolo ex alt̃a Cū nob̃ euidēti^o constat p insp̃cōē ret. . toz ⁊ pcess^o legitimi dicť Vicariū suā intenōē quo ad decias molendioz Cast̃ h^o nardi, Whorlton, Gaynsford, Alwent, ⁊ pchb. . pul-lanoz suoꝝ ferme decimať de pco suo Castri bñdi feni sui de pco ⁊ de forestia sua de Marwod silve cedue de p̃dicto pco suo de foresta sua ⁊ de Gaynsford colūbarioꝝ suoꝝ ac legitias pbaciones in judicō fčas omī extencione maior legitie fundasse ac p̃basse dicť dñz Joħē de balliolo militē ad Reddiōē ⁊ satisfaccōē dicť deciaꝝ. Necnō eund̃ Joħem de Balliolo in expēs dicť vicarij in lite fact q^m sb. . . tē deē a tempe monicōnis eiđ dño Joħe de Balliolo p dictē vicař facť sentencialit̃ ⁊ diffinitine in hñis sc̃pt condepna. . . . D'ata fuit h. sñia p dco vicaꝝ con^a p̃fať dñm Joħm de Balliolo tempe mñi Ade Brompton offiē ep̃i Dunelmeñ in Galit̃ Dunelmeñ in Vig̃ Beati Petri Apli Aduicla A^o dō m^o Ducētes^o octogesimo sexto Et ita sbit̃ in compoto Wiffl herwood quondm Receptoꝝ Castri ⁊ dominij de Barndcastle sb̃ tiřla Dec. . qđ Wiffls conpuit in deē dať vicario de Gaynsforth p duobus molēdinis Cast̃ bñdi ⁊ Worlton viginti sex solid̃ ⁊ octo deños Acta h. put sup^a scbnt̃ ⁊ recitantur sb̃ anno dō p̃ento.

312.

XXXIIL.—Carta Jōelini de mundeuilla ⁊ Wiffl de herteburñ sup̃ xxiiij^{or} acris terre in villa de Denton.

Sciant tam fuť q^m p̃sentes qđ ego Jōelin^o de mundeuilla ⁊ he^o des mei ⁊ ego Wiffls de Herteburn ⁊ he^o des mei dedim^o ⁊ concessim^o ⁊ hac carta ñra confirmauim^o ⁊ sigillo dñi Bernardi de Bař corroborauim^o in purā ⁊ ppetuā elemosinā deo ⁊ eccie s̃ci Cuthb^o ti de Gaynesford p capella henda infra villam de Denton xx^{ti} ⁊ iiij^{or} acras terre ⁊ unū toftū ⁊ unū croftū ⁊ cōem pasturā ouibz ⁊ equis ⁊ porcis ⁊ aīalibz alijs : quantū p̃tinet duabz bouatis in p̃dca villa de Dentoñ . Et sci-

end est qđ ad recompensacōem hui⁹ rei concessit ipā mat^r ecclīā de Gaynesford ⁊ psona eiusd ecclīe qđ capp^{is} de Gaynesford p tres dies in unaquaq septiana uni⁹cui⁹q⁹ anni sciit in p^rima ⁊ iij^{ia} vj^{ta} seria : in p^rdcā capella missā celebra- bit nⁱ forte aliquo ecclīastico impeditus fuerit negocio : Saluo tñ jure mat^rs ecclīe in omibz. Pre^rtea sciend est qđ nos de- bem⁹ puidere pnoīate capelle tam in libris q^a in vestimentis : quicquid opus fuerit ad diuinū officiū celebrand . si autē aliq de ep^{al}ibz pnoīate capelle ptinuerit : ipā capella in omibz psol- uet . hijs testibz . Rađo caplō, Rob⁹to caplō, Nicho cap⁹, Waldeuo diacono, Suano diacono, Thoñ de mondeuill, Wal- defo de Bereford, Rob⁹to Beneit, Warino traynel, Wiñmo martel, Simone hostiario, Petro de Schupton, Nigrā de Corei ⁊ multis aliis. 303.

XXXIV.—Carta Riči de Gaynesford sup tota t^ra capellis de Denton ⁊ Sumerhous ptinente.

Omibz s^ce ma^rcis ecclīe filijs Ričus sⁱuiens dñi Bernardi de Gaynesford salutē. Nouitis me recepisse a dño R.* Abbe ⁊ Con^{tu} s^ce ma^r Eboz totā t^ra de Denton ⁊ de Sunlⁱhous ca- pellis ptinētē sicut in cartis dñoz fundi cōtinet^r tenend in vita mea tñ ⁊ non iure hereditario de eis Reddendo annuatim p^rdcis Abbi ⁊ Conuentui xij dena^r ad Pen^t, Et h^c mⁱ conces- serunt q^amdiu me fidelit^r huerim ⁊ p^rdc^m censū bene reddide- rim ⁊ non ultⁱus et inde feci eis hanc cartā meā in testiōiū Testibz hijs Wal⁹o de Donington, Wiñmo de Boneuill, Rađo de Richeñ, Osb⁹to Janitore, ⁊ multis aliis. 303.

XXXV.—Carta Rogi Bertranni sup ecclīa de Staynton.†

Rogeri⁹ Bertranñ omibz amicis suis ⁊ s^ce ecclīe fidelibz tam p^rsentibz q^am futuris salutē. Sciatis me concessisse in purā ⁊ ppetuā elemosinā ecclīe s^ce marie Eboz consilio veñabiliū Epoz Dōni Wiñi Dunelñ ⁊ Adelwoldi Carleot^r ecclīam de Staynton cū omibz ptiñ suis libam ⁊ q^retā quā pat^r

* There were three abbots of St. Mary's to whose christian name this initial will apply:—Richard, the second abbot, 1112 to 1131; Robert de Harpham, 1184 to 1189; and Robert de Longechamp, 1189 to 1239; but one of the latter was probably intended.

† The date of this grant is fixed between 1149 and 1152. William de St. Barbara conse- crated bishop of Durlam 20th June, 1143, died 14th November, 1152; Adelwolf, first bishop of Carlisle, consecrated May 14, 1133, died 1156; Laurence, prior of Durham Abbey, 1149 to 1154; Ralph occurs as archdeacon of Northumberland in 1141 and 1153.

meus Willm̃s ⁊ auus meus Wido de Balliol eidem eccl̃ie dederunt, p̃ aīa p̃ris mei ⁊ m̃ris mee necnō ⁊ salute mea pentūq; meoz tam vivoz q̃m defunctoz. Testib; hiis. Willmo ep̃o Dunelm̃, Adelw̃ ep̃o Carleṭ, Lauṛ Priore Dunelm̃, Ranulfo Archid̃, Nicho p̃iore de Brinckeburgh, maḡro Lauṛ.

312^b.

XXXVI.—Carta h.* Dunelm̃ ep̃i de eadē eccl̃ia de Stayntoñ.

H. dei grā Dunelm̃ ep̃c, A. p̃iori,† W.‡ ⁊ J. Archid̃, om̃ib; cl̃icis ⁊ laicis epis̃catus sui salutē. Nouitis nos concessisse ⁊ p̃sentis carte munimine confirmasse moñ scē maṛ Eboz ⁊ Capīflo eiusdem moñ donaḡoem quā fecit ei dñs Roḡus Bertrā in ppetuā elemosinā de eccl̃ia de Staynton cū om̃ib; p̃tīn suis saluo jure ⁊ dignitate ep̃ali. hiis testib; . Absaṭ Priore, Wazone ⁊ Johe Archid̃, Maḡro Lauṛ, Walto monacho, Tebaldo de Skeltoñ, Maḡro Thom̃, Galfro de Crambū, Teab de moñ villari, helia cl̃ico.

312^b.

XXXVIJ.—Carta Phiṣ Dunelm̃ ep̃i de eadem.

Phus dei grā Dunelm̃ ep̃s B.∥ Dunelm̃ priori ⁊ Aumico¶ Dunelm̃ archid̃ ⁊ Thobaldo** de Northyṭr archid̃ ⁊ om̃ib; cl̃icis ⁊ laicis toti⁹ ep̃atus sui salutē. Nouitis nos concessisse ⁊ p̃sentis carte nre munimine confirmasse moñ scē marie Eboz ⁊ Capīflo eiusdem moñ donaḡoem quā Dñs Roḡus Bertram fecit ei de eccl̃ia de Steynton in ppetuā elemosinā cū om̃ib; ad eandem eccl̃iam p̃tinentib; . saluis in om̃ib; ep̃alib; nris consuetudinib; sicut carta h. Dunelm̃ ep̃i bone memorie p̃decessoris nri testat. hiis testib; . Bert^am Priore Dunelm̃, Aumico Dunelm̃, ⁊ Theobald de Northyṭr Archidiaconis, maḡro Johe de Londoñ, Petro Terberti, Maḡro henṛ de Dunelmo, Pho de Galleolo, Maḡro Willmo Constantini, Rob^oto fit Roḡi vicecoñ Northymbṛ, Henṛ de Puteaco, Rob^oto de mara, Galfro de Smythton, Rob^oto Bruncoste, Riḡo de Ely, ⁊ multis alijs.

312^b.

XXXVIJ.—Carta michis psone de Steynton p̃ p̃sione J marḡe argenti in eadem eccl̃ia.

* Hugh Pudsey, bishop of Durham, 1152 to 1194. † Absolam, prior of Durham, 1154 to 1158. ‡ Wazo seems to have been archdeacon of Durham between 1147 and 1150; but I have not found any notice of his contemporary John.

§ Phillip de Poicteu, bishop of Durham, 1195 to 1208. ∥ Bertram, prior of Durham, 1189 to 1209. ¶ Aimeric, archdeacon of Durham, 1198 to 1214. ** Theobald is not mentioned in Hutchinson's list of the archdeacons of Northumberland.

Oñib; hoc sčptū visuris vel auditure michael de clauile rector ecčie de Steyntoñ sałm in đno. Nouit uniũsitas vřa qđ ego teneor solũe añuatim Abbie sče marie Ebož unā marcā argenti de ecčia de Steynton noie pensionis ad duos ĩmĩos medieř videřt ad Penteč ĩ aliā medieř ad festū sčĩ martini in hieme . Oĩa ĩ oĩa dče ecčie annexa : sustinebo. Et hoc me fidelĩ obřuaturū tactis sacřstis eu^{ng}eliis iurauĩ . In cui⁹ rei testiōiũ huic scřpto sigillū meũ apposui . hiis testib;. mağris Johe de hamtoñ, Gilb⁹to Lincolñ, Rob⁹to de Saam, Rogo Pepin, Walto de Gaugy, Johe Malet, Wiřmo de longa villa, Ričo de Cama ĩ alijs. 312^b.

XXXIX.—Carta R. Pepyn de eadem.

Oñib; xpi fidelib; hoc sčptū visurę vel auditure Mağr Rogus Pepin rector ecčie de Steyntoñ salutę in đno. Nouit uniũersitas vřa qđ ego teneor solũe añuatim Abbi ĩ Con^{tui} Sče marie Ebož unā marcā argenti de ecčia de Steyntoñ noie pensionis ad duos ĩmĩos medieř ad festū sčĩ martini in hieme et aliam medieř ad Penč. Oĩa ĩ oĩa dče ecčie adnexa sustinebo. Et hec me fidelĩ obřuaturū tactis sacřstis eu^{ng}eliis iurauĩ. In cui⁹ rei testiōiũ huic scřpto sigillū meũ apposui. hiis testib;. Mağro Johe de Hamton, mağro Rob⁹to de Saam, Mağro Eustač de Kyma, Walto de Gaugy, Wiřmo de longa villa, ĩ aliis. 313.

XL.—Carta W. Třine de Castello Bernard ĩ de Stayntoñ.

Oñib; sče matřs ecčie filijs tam řsentib; q^m futuris Warin⁹ třine salutę. Sciatis me dedisse ĩ concessisse ĩ hac řsenti carta confirmasse deo ĩ ecčie sče margarete de Castro Bernard p salutę aie mee ĩ Berce ux⁹is mee filiožq; ĩrož antecessož quož suož ĩ successož in puram ĩ ppetuā elemosinā unū tořtū cū crořto in villa de Steyntoñ. Sciřt inř domū luciene ĩ qučdā sicketū ppinquiore řdče domui řřsus occidente ĩ xx^{ti} iij^{or} acras řre in campo de Staynton, cū oib; asiamentis řdče ville ptinentib;. Sciřt q^{ing} acras ĩ tres rodas que abutřāt sup sicketū qđ veř de villa de Staynton p crukes ĩ unā acram in brungarsmithie řřsus austrū ĩ uñ acř ĩ tres rodas ĩ dĩ in Sundesflatis ĩ unū pratū inř culturā de Pikedelange ĩ Standandestaneside ĩ pasturā octo bob; ĩ viij catař ad řtram colendā ĩ pasturā viij vaccis cū sequela ij^{or} annož . ĩ viij tauř

et lx ouib; et trib; arietib; cū sequela uni^o anni. et v suib; et uni v^{ri} cū sequela uni^o anni finitis ante t^{ri}minis p^{re}dcaz sequela^z : unaqua; sequela a pastura removebit^r ad subsequens fest^u s^{an}cti Cuthb^{er}ti in Septem^{br}. P. cui^o dona^{ti}onis condi^{ti}ōne n^{ost}ra mat^{er}x eccl^{esi}ae de Castro Bernard^us concessit michi et he^{re}dib; meis h^{ab}ere diuini offi^{ci}i celebra^{ti}ōnem in capella de Stretlō p^{er}petuo et continue. Saluo jure mat^{er}cis eccl^{esi}ae in omib; tam in decimis q^{ua}m in alijs obuencōib;. Ita q^{uo}d ego et he^{re}des mei capellaⁿ et cl^{er}icū et oīa alia nec^{ess}aria ad diuinū officiū celebrand^u p^{er}tinēcia inuēim^{us} hoc v^{er}o nō est p^{er}termittend^u q^{uo}d ego et h^{er}des mei hoīesq; m^{ei} q^{uo}d p^{er} annū ad n^{ost}ricem eccl^{esi}am venire tenembim^{us}. Sci^{ti}t in die Nata^{li} d^{omi}ni, In Pu^{er} s^{an}ctae ma^{ri}e, In die Pas^{che}, In die s^{an}ctae Margarete. Pre^{ter}ea sciend^u est q^{uo}d ego et hered^{es} mei p^{er}sone mat^{er}cis eccl^{esi}ae capellaⁿ ydoneū p^{re}senta^{ti}bim^{us}. Qui fidelitatē et securitatē mat^{er}cis faciet eccl^{esi}ae tā de dec^{imis} q^{ua}m de alijs obuencōib;. hijs testib; . Amico* tunc archid^e, Wal^{ter}o de Pidington tunc decano, ma^gistro hen^{ric}, hu^{go} de feritate, Ri^{ch}ard^{us} p^{er}sona de Wyne^{ston},† Thomā p^{er}sona de Acl^e,† ma^gistro Rob^{ert}o de hadington, ma^gistro Simone de F^{ul}lington, Ma^gistro Ale^{xe}o Nolano, Rob^{ert}o filio Meld^e, Simone de haghethorne, Rog^{er}o de Egleston, et multis alijs.

313.

In noīe D^{omi}ni amen. Anno a Natiuitate eiusd^{em} mil^{li}o ccc^{mo} octauo. Indicōne septima die octauo exeunt^{es} mens Octob^{er} : Constitut^{us} in eccl^{esi}ae postchi bi Nichi in Dunolm, in p^{re}sencia mei Nostr^{us} pup^{er}lici infrasc^{ri}pti et testiū subsc^{ri}pto^{rum}, Rob^{ert}us de Insula cl^{er}icus Rector ut dicebat^r eccl^{esi}ae de Staynton Dunel^m Dio^{ce}s^{is} ip^{su}m reputans tanto oneri et cure aīaz insufficientē et ideo volens pic^{tu}m iminens seriusius declinare : p^{re}fatā eccl^{esi}am suā in sac^{ra}mentis manib; ven^{er}abilis p^{re}is d^{omi}ni Antonij dei grā Dunol^m ep^{iscop}i pure, sponte, et absolute ac simplicit^{er} resignauit omniq; juri, Sibi in eadem eccl^{esi}ae cōpetenti vel cōpetituro renūciauit pup^{er}lice et exp^{re}sse et sup^{er} p^{re}d^{ic}tis resigna^{ti}ōne et renūcia^{ti}ōne quasdam t^{ra}s sigillo suo ut asseruit consignandas ex habundancia exhibuit et legit tenore p^{er} omīa qui sequit^r contientes. Ven^{er}abili in xpō p^{re}ri ac d^{omi}no suo reuendo d^{omi}no Antonio dei grā Dunol^m ep^{iscop}o suus hūilis et deuotus filius Rob^{ert}us de Insula cl^{er}icus subieccōem filialē et obedīam cū oī reuēncia et honore debite tan-

* Aimeric occurs as archdeacon of Durham from 1198 to 1214.

† Neither of these persons are mentioned in the published lists of Rectors of Winston and Aycliffe.

to patri Licet canōicam instituōem in ecclia de Staynton ad quā nup p Reliḡ viros Abbem ⁊ Con^{tum} ecclie be marie Eboḡ eram p̄sentatus Fuerim corā vobis aliquādiu p̄secutus ⁊ eadem canōice institutus: me tamen insufficientē reputans tanto oneri ⁊ cure aiaḡ picl̄m iminens declinare satagēs in p̄senti ip̄am eccliam in sac^ostis manibz v̄ris, pure, sponte, simpliciter ⁊ absolute resigno ⁊ ōi juri michi in eadem cōpetenti ut cōpetituro renuncio p p̄sentes. In cui^o rei testiōiū sigillū meū p̄sentibz est appensum. Dať Dunolm̄ die Jouis p̄x ante festū aploḡ Simonis ⁊ Jude Anno gr̄e mil̄mo ccc^{mo} octauo. Acta fūunt p̄missa anno indicōne die mens ⁊ loco supradcis p̄sentibz discretis viris dñis Peř de Carnoto* beati Nichi in Dunolm̄, ⁊ Eudone* de Dunolm̄ de Edmūdbir Dunolm̄ dioč, eccliaḡ rectoribz, nec non dño Rob^oto* de Dunolm̄ vicario ecclie Sčī Oswaldi in Dunolm̄, ⁊ Henř de Crossegatē clico, testibz ad hec vocatis sp̄alit ⁊ rogatis. 313^b

Here, about the end of the fifteenth century, these two memoranda have been added.

Iťm quod cōcordia fca in cui^o dñi Reḡ de ecclia de Gaynton (*sic*) inť Abbatem moñ bte marie Eboḡ petentē ⁊ P̄hm Eřm dunelm̄ tenētē ⁊^c.

Iťm quod Recogniō pensionis ecclie de Staynton.

Xpi fidelibz univ̄sis p̄sentes ıras Inspecturē. Ričus ⁊^c saltm in dño. Nouitē qđ constitut^o cor̄ nob psonalit in visitaōne nra in ecclia poch de Gaynesford, Dñs Ingeram^o de Castro Bernardi nre dioč se p bone memorie dnos Alanū dei grā Cathaneñ in subdiaconū ⁊ marchū sodoreñ Eřos in diaconū sufficient ⁊ leḡie pbauit rite ⁊ Canōice fuisse ⁊ esse ordinatū ⁊ sup ordinaōne sua in p̄sbitūm exhibuit patentes ıras Dñi Johis dei grā Karlolen Eři, unde ad omnes sacros ordines ip̄m rite ⁊ Canōice ordinatū fuisse pnūciauim^o ⁊ declaravim^o in hijs scriptis. In cui^o rei test p̄sentē ıras dco dño Ingeramo fieri ⁊ nro sigillo fecim^o communiri. Dať ⁊^c Anno dñi ⁊^c undecio ⁊ Pontē primo.—*Reg. Kellawe in Cur. Canc. Dunelm' fo. 22.^b*

Relaxaō inťdci ⁊ absoluōnis.

Ričus ⁊^c Dilčo filio ppetuo vicař ecclie de Geyneford saltm

* These persons are not mentioned in the printed lists.

7^o. Quia Rectorem ecclie de Wynston ñre dioč a sñia excoi-
cačõnis in ip̃m lata auctoritate ñra p Offiç ñrm p octo libř
stlingoř debitis p eundem Rectorem dño ñro Regi sub čta
forma absolvim⁹ 7 inđdčm . . . dča ecclia supposita fuit 7
ocčõe pdča duxim⁹ relaxandū : Vob mandam⁹ quatin⁹ dčm
Rectorē sic absolutum 7 inđdčm relaxatum esse pu^{ce} nūcietis
Dař 7^o. xxij die marcij Ponř ñri anno pⁱmo.—*Reg. Kellawe*, 39.

Relaxacio sñoi p Abbe de Ebor.

Ričus pmissione đuina Dunelm̃ Ep̃us dilčo filio Decano
xp̃ianitatis de Derlingtoñ salřm grām 7 bñđ. Exacčõi q^mm
facitis dilčo amico ñro Abbi be marie Eboř p expens pcuratoř
cleri ñre dioč qui ad pliamenč Dñi ñri Regis nup missi fũant
Offiç ñri ei⁹ ve Comissař mandato quocumq vob directo nō
obstante ac execučõi 7 publicacioni suař suspensačõis excois
7 inđdči si que in dčm Abbem ei⁹ ve Procuratorē aut in ec-
cliam suam de Gaynesford đcoř expens accčõne p Offiç ñrm
ei⁹ ve auct^e uř mandato late fũint supseadeatis 7 q^{ntum} ad
vos attinet ab alijs supsederi faciatis donec a nob aliud hueri-
tis in mandatis valeř. Dař ařd Stoketon ij^o die April Ponř
ñri anno sčdo. *Reg. Kellawe*, 78.

Cont^a detinentes decimam feni.

Ričs pmissione diuina 7^o. dilčis filiis de Gaynesford Staynes-
trop 7 Castro bernardi eccliař capellanis pochialibus salřm
grām 7 bñ. Quia nob ppetuus vicař ecclie de Gaynesford ñre
dioč g^{avi} conquestione monst^auit qđ licet decima feni infra
pochiam ecclie de Gaynesford sup^adče undecũq puenientis 7
ip̃ius feni pceptio ad ip̃m vicarie sue noie notorie spectare
noscat^r ac ip̃e 7 vicarij pđcessores sui a tempe cui⁹ contr^am
memoria nō existit in pacifica fuerint possessione pciendi
decimam antedčm : quidam tamen iniquitatis filij quoz noia
ignorant^r sue salutis immemores dei timore contempto 7 ip̃ius
ac ecclie uniũsař abiecta reũencia p̃fatum vicař 7 alios suo noie
deciam feni puenientis de pco castri bernardi, 7 de foresta de
Morewode infra pochiam de Gaynesford existentib; aũdčam
colligendi carianđi, 7 alias put iustū esset disponendi de ea-
dem nō solum pturbare, molestare, 7 impedire p̃sumūt : s;
ip̃am deciam scient^r cont^a ip̃ius vicař conscientiam 7 volũta-
tem ausu quod temario distrahere vendere 7 alienare, non
formidant ei⁹dem feni pciũ in suos usus pp^{ios} conũtentes sic

ip̃m vicariū ⁊ vicariam suam andēm temē spoliando in ip̃ius vicarij dampnum non modicū iniuriam ⁊ g̃uamen et in aīaz suaꝝ piculu ac elusionem lib̃tatis eccl̃iastice ⁊ eccl̃ie uiuīsaī contemptum manifestū ppt̃ in maioris exccōis sñiam con^a hi^o violatores ⁊ infringentes lib̃tates eccl̃ie ac hi^o tem̃arios p̃sūptores p̃uide p̃mulgata dampnabil̃t̃ inciderūt. Quo circa nos eccl̃ias ⁊ p̃sonas eccl̃iasticas in iure suo defendere ⁊ tueri iniuriasq̃ illatas eisdem ulcisci ut est opus ⁊ p̃sumptas hi^o audacias refrenare volentes ut tenem^r. Voḥ ⁊ ṽrm cuilib; in virtute obediencie firmit̃ in jūgim^o ⁊ mandam^o q^atin^o in eccl̃is ṽris dieb; solem̃pnib; ⁊ festiuis int^a missaꝝ solem̃pnia pochianos ṽros om̃s ⁊ singulos in geñe moneatis qđ ab hi^o p̃baçõe molestaçõe ⁊ impedimento ⁊ desistant p̃fatū vicariū seu aliū ūl alios ei^o noīe decīam feni añdci integ^e colligē ⁊ disponē de eadem absq̃ difficultate qualib; libe p̃mittētes sub maioris exccōis pena q^a in cont^a venienter ex nūc ut ex tūc p̃ferim^o in hijs scriptis. Mandantes voḥ nichilo^o qđ in eccl̃ijs ṽris dieb; ⁊ horis sup^ad̃cis illos om̃s ⁊ sing̃los qⁱ p̃fatum vicarium seu aliū ūl alios ei^o noīe p̃fatam decīam feni colligere ut p̃mittit^r p̃r̃barūt hacten^o molestariū seu impediuerūt ac eoꝝ fautores ⁊ auctores seu dātes eis consiliū opē vt opā in p̃missis in đcam maioris exccōis sñiam incidisse ⁊ sic exccōicatos esse pulsatis campanis accensisq̃ candē in geñe publice nūcietis. Inqⁱ rentes diligēti de noīb; eoꝝdem de q^b; cū voḥ constitit citetis eosdem p̃emptoꝝ qđ conpeāt coꝝ off̃ ñro ut ei^o comissaꝝ geñali in Gaſ Dunelm̃, tā sup̃ sibi ex offo q^a p̃ đcm vicaꝝ obiciend̃ respō sui factur^oq̃ ⁊ receptuꝝ q; i^oticia suadebit. Quid autē in p̃missis fe^ocitis ⁊ de noīb; citatoꝝ cū p̃ vicaꝝ p̃dcm fūitis req̃site off̃ ñrm p̃dcm ut comissaꝝ geñale p̃ ṽras ⁊^c. Daſ aṗd Stoketon xxvij die meñs Julij Ponē ñri anno ſcio.—*Reg. Kelawe, fo. 95.*

Moniçō de faciendo penitenciā

Riçs p̃missione diuina ⁊^c p̃petuo vicario de Gaynesford, vel ei^o capellano, pochiali sałtm grām ⁊ b̃nd. Quia Joh̃i de Alwentē coram nob̃ p̃sonalit̃ constituto ⁊ obiectis sibi ex officio ñro ct̃is articulis fatenti iudicial^r se cum Agneta de Raby, Anabilla de Dunelm̃ adult̃ium comississe, ac in purgaçõe sibi indcā sup̃ adult̃ijs comissis cū Christiana Clergis, Annabilla de Castro Bernardi, Emma le Aumbelour, deficienti ⁊ h̃iço p̃ conuicto hi^o qualitate delictoꝝ ⁊ p̃sone sue condicionib;

ponderatis volentes micus secū age sequentē duxim^o penitentiā iniungend vidē qđ p quolibz de dñis artiēlis circa ecēiam suam pochialem per sex dies dñicos ⁊ festiuos corā pochianis dñe ecēie pcessionali^o incedentibz ⁊ cira forū de Derlyngton die lune cū pleni^o fuerit populatū per sex dies indutus solūmodo lineis publice fustiget^r. Nos p^oabili^o attendēs iniuncōes hi^o si execuōi debite non mandent^r. non tantū fore delusorias set ampliorē tribuere audaciam delinquendi: vob in virtute obediencie ⁊ sub exōis maioris pena mandam^o firmi^o iniungentes quatin^o dēm Johē publice moneatis et testato (*sic*) qđ hac instanti die lune circa for de Derlyngton ⁊ seqnti die dñico ecēiam pochialem de Gaynefford ⁊ sic de foro in forum ⁊ per dies dñicos ac festiuos continue sbseqntes sup^odēm pñiam put sibi sup^o. . . . merita suscipiat ac deuote: Ailoquin ipm Johē ⁊ ad id suscipiend ⁊ faciēd p suspensionis ⁊ excoīcāōis snias compellatis eū sic excōicatum esse p totum Archidiaconatū Dunolm publicātes vice nra seu facientes publicari ⁊ tanq^a excōicatum ab alijs arti^o euitari, donec nris vrisq mōitis ⁊ mandatis paruerit in hac pte ⁊ nram meruerit g^oram obtinere. Premissas autem pñias ut absq dilaōe fiant gracia ut favore ⁊ in forma sup^a scripta p fidā vre discretionis industriam q^anta poteritis diligentia curari volum^o ⁊ mandam^o Quid autem in pmissis fec^oitis ⁊ si in aliquo inobediens fuerit aut rebe^oll: circa fm sēi Cuthb^oti nob constare faciatis p vras patentes tras haz seriem continentes. Dať apđ Stoketon vj die Augusti. Ponť nri anno 12cio. *Reg. Kell., 98.*

XLIX.—Comissio ad condempnand in . . recogniōnis.

Ricardus pmissione diuina Dunolm Epus Dilco fit Magro W. ppetuo Vicař ecēie de Gaynford, nre dioč salm. De vra fidelitate ⁊ discreōne fiducia optinentes ad audiend ⁊ admitte^o confessiones ⁊ recogniōes illoz nre dioč qui volūnt fati ⁊ recognosce corā vob se teneri ⁊ obligari dilcis filijs Abbtī ⁊ conuentui moñ be marie Eboz dñam ecēiam in pp^os usus obtinentibz vel eoꝝ pcuratori suo noie in aliquibz pecuniaꝝ sūmis ex quacūq cā licita ⁊ ipos iuxta eoꝝ confessiones ⁊ recogniōes in hui^o pecuniaꝝ sūmis p pcepti sniam condempnand ad satisfaciend dñis Abbtī ⁊ Conuentui ut eoꝝ pcuratori de ipis pecuniaꝝ sūmis v^ominis ad hoc statuend s^o pena excoīcāōis maioris p vos extūc in ipos inferenda si nō

satisfecint t̃minis assignatis voſ tenoř p̃senciũ committimus vices ñras cum coñcõis canõice potestate valē Dať apud Ric-hall, xiiij die mens̃ septem̃br, Ponť ñri anno 1̃cio.

Reg. Kellawe, 102.

Non admissio Resignacõis vicař de Gaynesford.

L.—Xp̃i fidelibz uniṽsis p̃sentes tras inspecturę Ričus p̃missione diuina Dunelm̃ Ep̃us Salťm in omni saluatore. Nouitis qđ licet dilc̃us fit maġr Wiffs de Pykerynge p̃petuus vicař eccl̃ie de Gaynesford, ñre dioč, ab onere 7 cura vicarie p̃dčē exui cupiens ex c̃tis causis suũ ad id animũ excitantibz eam in manus ñras sategerit resignare 7 Nos causas p̃dčas minus p̃bables reputantes ac iřm ad iřius vicarie curam 7 regimen potentē 7 ydoneũ, ex iudicijs veracibz cognoscentes et p̃p̃tea ñrm assensũ ad id minime p̃bere volentes eundem ad resignacõem hui⁹mõĩ nō duxim⁹ admittere. In cui⁹ rei testiõĩũ sigillũ ñrm p̃sentibz est appensum. Dať ařd Ryke-hale, xxvij die Jañ, Anno dñi 1̃c. xiiij⁹ 7 Ponť ñri 1̃cio.

Reg. Kellawe, 114.

LI.—Ričus p̃missione dĩa Dunolm̃ Ep̃us, dilc̃o fit Decano de Derlyngton salťm ġř 7 ģn. Quia fruct⁹ dec̃ie garbař puenientiũ de pochl de Gaynesford repõitař in domibz 7 solo eccl̃ie de Gaynesford spectantibz ad vicař eēdem c̃tis de cau-sis dux⁹im⁹ seq̃st⁹andos 7 voſ mandam⁹ q̃atin⁹ dčos fructus s̃b arto seq̃stro custodiat̃ 7 custodiri faciatis. Ita qđ nullus ad eos manus apponat s̃b pena excõis maioris ex nũc late in pso-nas cont⁹a venientes donec a noſ aliud ħueritis in mandatis. Certificatur⁹ nos de valore 7 estimačõe fructuũ p̃dčoz cũ sup hoc fũitis requisiti . valeť. Dať apud Stoketon ultimo die Octobr, Consecracõis ñre anno quarto. *Reg. Kellawe, 137.*

DENTON.

Carta Jothlini de Dentona de 1̃ra data elemoſ, in villa de Denton.

LIJ.—Om̃ibz has lĩtas uisuris 7 audĩtis tam p̃sentibz quā fuťis, Jothlin⁹ de Dentoñ salť. Sciatis me dedisse 7 conces-sisse 7 hac p̃senti carta mea confirmasse deo 7 s̃co Cuthb⁹to

et monachis duñlñsib; ad elemosinariā eoꝝ, Duo tofta et unū croftū in villa de dentona vnū sciūt toftū cū crofto ppinquiorē molendino versus orientē et aliū toftū ex alia parte torrentis in² duas vias et iiij^{or} acras tre et dimidiā acrā et unā rodā et dimid² rode in magna cult^a ex occidē tali pte cult^e et unā acrā tre et septē pticatas de residuo acre ad holestā que tāgit campū de Carlebbe et past^aam octo bob; et iiij^{or} vaccis et sequele eaꝝ trib; annis et centū herbicis et sequele eaꝝ trib; annis et sex porcis et exitui eoꝝ unius añi et duob; equis cū oib; aliis cōmunis p²d^e ville ptinentib; tenend² inppetuū in purā et ppetuā elemosinā de me et heredib; meis lib^e et quiete ab oib; suicijs et sc̄larib; demandis. Ego aū et hedes mei deo et s̄co Cuthb²to et p²d^e Eleemosinarie p²fatas tras et p²d^eis lib²tatib; cont^a oñs hoies et in oib; Warantizabim². Hijs testib;. Thoma de Mundeuiſt Wal²o de Wessigton Ricardo et Rob²to capet² de dentona meldredo de Waleuwrth Ranulfo de hamsley Petro de Houtun, Ranulfo de bolū Andrea de dentoñ Wal²o filio petⁱ de Dentoñ et multis aliis.

Liber Eleemosinarii Eccl. Dunelm², int. MSS Mickleton.

Carta Jothlini de Dentoñ.

LIIJ.—Witts filius Jolani de Dentona oib; uidentib; ut audientib; has litt²as saſt. Sciatis me concessisse et p²ſenti s̄c̄pto confirmasse domui eleemosinarie bati Cuthb²ti unā bouatā tre in Dentoñ et domo et tofto et oib; q ad eandē bouatā tre ptinēt in purā elemosinā p Añab; antecessoꝝ meoꝝ tenendā de me et heredib² meis lib²am et quietā ab omni exac²tione Ab Anno incarnatōnis dñice m^oc^oc^oxj^o usq in xv annis Reuolutis aū xv añis remanebit mⁱ p²d^eā tra soluta et quietā ab oī cont^adic²tione. Hijs testib; Witto Archidiacono Simone camerario maꝝro Ricardo de coldinghā magistro Ri²c de kadenai Magist^o Wal²o de hadigton Et multis alijs.

Lib. Elemos., int. MSS. Mickleton.

BARNARDCASTLE.

LIV.—Inq. p. forisfm Johis de Balliolo Regis Scocie.

Edwardus dei grā Rex Angl Dñs Hibn et Dux Aquit dilcō et fideli suo Rob²to de Clifford custodi suo lib²tatis Epat²

Dunolm̃ ut ei⁹ locū tenenti salm̃ : Quia ut accepim⁹ Johes de Balliolo q^ondā Rex Scocie tenuit in dñico suo ut de feodo in festo Nataſ dñi anno r̃ ñ xxij^o quo tempe a fide n̄ra t̄ homagio recessit / guerram cont^a nos mouendo Baroniam de Gaynesford t̄ Castrū Bernardi ac alias t̄ras t̄ teñ diuſa in ēpatu p̄dco que ocōne inimicie t̄ rebellionis eiusdem Johis nob̄ sunt t̄ nō alī forisſta et que quidam hoīes de ptib; ill̄ p̄teaq^a d̄cūs Johes a fide n̄ra t̄ homagio ut p̄mittit^r recesserat seisiſi fecūnt in man⁹ suas ex plenas t̄ exit⁹ quoscumq; inde puēientes sibi in iuris Regii t̄ Corone n̄re p̄iudiciū app̄ando volentes ne corone aut dignitatis n̄re regie iura p̄ hi⁹ usurpācōem p̄sumptuosam depeant s; potius ad ea que talit̄ in exheredeōem n̄ram occupata fūint t̄ subtracta modo debito put ad hoc vincto iuramenti astringim^r revocanda remediū congruū appone⁹ t̄ festinū / vobis mandamus qđ p̄ sacm̃ p̄boz t̄ leḡ hoīum de ēpatu p̄dco p̄ quos rei vitas melius sciri pōit in psencia dīci ſuientis n̄ri Galfri de hertelpol qui p̄ iure n̄ro in hac pte p̄seq̄ndo volum⁹ p̄ vos sup̄ hoc p̄muniri diligent̄ inquiratis ut^m p̄d̄cūs Johes tenuit in d̄co festo p̄d̄ca Baroniā t̄ Castr̄ cū p̄tiñ aut aliqua alia t̄ras t̄ teñ in ēpatū p̄dco sic p̄d̄cm̄ est / nec ne / t̄ si alia / tūc que t̄ siſr qui d̄ca Baroniā t̄ Castr̄ cū p̄tiñ alias t̄ras t̄ teñ p̄d̄ca teneant t̄ ut^m ea tenuunt a festo p̄dco añ p̄ aliquod temp⁹ ante t̄ si a festo p̄dco tūc uīm ex eā p̄d̄ca an alia t̄ si alia tūc ex qua t̄ si p̄ aliquod tempus ante tunc p̄ quod t̄ ex qua ea t̄ que teñ t̄ qualit̄ t̄ quo modo t̄ ut^m t̄ra ut̄ teñ aliqua in eodem ēpatū p̄ fm̄ p̄d̄cm̄ acciderint p̄ mortē aliquoz tenenciū ad t̄mū vite ut̄ annoz de he⁹ditate p̄d̄ci Johis quoz reūſio ad nos ptinet r̄one forisſture p̄d̄ce nec ne et si sit tūc que t̄re que ten t̄ p̄ quoz morte t̄ in quoz ut̄ cuius manib; nūc existant t̄ qualit̄ t̄ quo modo t̄ q^antū p̄d̄ca Baronia t̄ Castr̄ ac alia t̄re t̄ teñ sit occupata t̄ que sit p̄ mortem hi⁹ tenenciū acciderint valeant p̄ annū in omib; exitib; iux^a verū valorem eoꝝdem. Et si p̄ inquisicōem illā inuēiri cōtiḡit qđ p̄d̄cūs Johes tenuit in d̄co festo Castrū ac Baroniam p̄d̄cā cū p̄tiñ seu alia t̄ras t̄ teñ in ēpatu p̄dco ut̄ p̄d̄cm̄ est / tūc baroniam illā t̄ castrū cū p̄tiñ im̄o om̄ia alia terras t̄ teñ p̄d̄ca que sic subtracta fūint ut̄ p̄ mortē hi⁹ tenenciū accederint in cui⁹cuq; uel quozcuq; manibus existant sine dīſone capiatis in manū n̄ram t̄ ea saluo custodiri fac̄. Ita qđ de exitib; inde puēientib; nob̄ respondeat^r ad sc̄m

nřm. Et Inquisiĉoem řđĉam distincte ř apte řĉam una cř toto řĉo řřo in hac pte nob řb sigillo řřo ř sigillo eoř p quos inqřsicio illa řĉa řřit mittatis ř hoc bře . Ita řđ ea řeamus coram nob ř consilio nřo ad pliamentř nřm quod in Octab řĉi hillař př futuř sumus ařđ karlioř řituř . T. me řřo ařđ Lanrecost iiij^{to} die Nouembř anno regni nři xxxiiij^o . . Pre-textu cuius břis capta fuit Inquisicio ařđ Castrř Bernardi xj^o die Decembř Anno ř Reř Edwardi řit Reř henř xxxv^o corā řřato Robřto de Clyfford custode libřtatis řđĉe in řřencia řřati Galfridi de hertrepol řřientis řni ř p Adam de hyn-deleye, Wilřm de Alwent, Walřum de Lutřngton, Robřm de Amundeuille, Walřum de Dentoř, Walřm řit Jořis, Lauř Godynogh, Henř Cissorem, Wilřm le Rous, Wilřm de houe-den, Wilřm Belle ř Warinř forestař , Juř ř examinatos sup omibř artiĉlis supius in bři contentis . Qui dicunt sup sacřm suř řđ řđĉus Jořes de balliolo tenuit đĉa baroniā ř Castrř cř ptiř in řnico suo ut de feodo in đĉo festo Natař anno ř Reř Edwardi xxij^o ř řtea quādā řras ř teř de đĉa baronia usř řm Nař řĉi Jořis bařpte Anno ř řđĉi vicesimo řcio ř quādā usř řm řĉi mřrtini anno xxij^o řřiente ut patet infra quo die řĉi martini Antoni^o Dunolř Eřus seisiuit đĉa baroniā ř Castrř Bernardi cř ptiř in cař řřmantř ad ducenta libř oĉĉone foris-fure řđĉi Jořis řone libřtatis Eřpatus Dunolř , řĉ đns Rex alia řras ř teř ei^o đĉ Jořis alibi seisiuit . Exceptis villis de Gaynesford Percebrigg ř hedlom quas Agř que fuit uř hugonis de Balliolo tenuit noře dotis de heřditate řđĉi Jořis. Saluis eidem Joři firmis libe tenenciř de hedlom ř medietate molendinoř de Gaynesford et Percebrigg Et excepta řĉia pte foreste de Tesedale que extenduntř p annř ad Centř libř ř ex^{tis} řĉia pte Burgi molendinoř ř řre řnice Castri Bernardi tertia pte đuař pĉiř parci ř boscoř Castri Berř ř foreste de Tesedale řĉia pte ville de Westwyk řĉia pte đuař pĉiř de Querřngton cř capitali meř ř řĉia pte molend de Gaynesford ř Percebrigg^e que extenduntř p annř ad quadrař libř tresdecī solid ř iiij^{or} đēř quas Elienora que fuit uř Aleř de balliolo tenuit noře dotis de heřditate řđĉi Jořis . Et ex^{tis} duabř carucatis řre řnice in Langton quas Wifř de Faldreley tenuit ad terminř vite sue de dono řne Dervorguille de Balliolo ř p confirmaĉoem řđĉi Jořis que extenduntř p annř ad ix libř. Et ex^{tis} decem libratis annui reddit^o quas đĉus Jořes de Bal-

liolo dedit Alano de Tesedale diu ante dcm fm Natai p suicio suo picipiend tota vita in villa de Langeneuton Et dicunt qd ville sbs'pte ptinent ad pdca Baroniam ⁊ Castru de quib; villis cu ptiñ dcs Johes de Balliolo fuit seiscitus in pdco festo natai. Scilit; Langeneuton ⁊ Neusom quas tuc tenuit ⁊ p^eea usq die Naī scti Johis Bapte anno r Edwardi xxii^o quo die pdcus Epus illas int^ouit absq lib^o acōe alicuius seisine ei p pdcm Johem de Balliolo ul suos fte rone cui^odam cōuencionis p duos annos ante dcm fm Natai int^o eos fte p auxilio dci Epi hendo ad recupand t^oram Scoī Et sciend qd villa de Langeneuton pter pdcas decem libratas reddit^o quas Alan^o de Tesedale tenet ut pdcm est valet p annu in omib; exitib; xxx^{li} iij^s xid. Itm villa de Neusom valet p annu xvi^{li} vd ob tam in denar q^m in blado. It quedā Capella in dca villa de Neusom que fuit de aduocacōne dci Johis de Balliolo die quo pdcus Epus int^ouit pdcas villas de Langeneuton ⁊ Neusom vacauit p^eea p mortem Stephi Capelti qui illa tenuit de dono dci Johis de Balliolo quā quidē Capellā pfat^o Epus contulit cui^odam Wilto le Rous cl^oico suo et valet p annu decē marc p quib; custos eisdem onat^o inuēire qmdam Capeltm ibidem diuina celeb^ontem. Et dicunt qd alie ville sbseqntes sp^etantes ad dcā baroniā ⁊ Castru fuunt in seiscina pdci Johis in dco festo Natai ⁊ postea usq festu scti martini sup^o dcm anno xxii^o finiente die quo deueniunt ad manus Epi tanq^m forisf^ote ut patet sup^oius videl; duo ptes Burgi Castri Bern cu duab; ptib; pficuū marcati ferie ⁊ molendinoz que valent p annu xxxiii^{li} xii^s iij^d. It vj^{xx} ac^o t^ore dnice de eodem Castro que valent p annu vi^{li}. It reddit^o assis de feodis Castri valent p annu lxxi^s. It iij libre pipis vij lib^o cimini ⁊ ij capones de eodē feodo p annu. It due ptes pci ⁊ boscoz castri Bernardi valent p annu xx^{li}. It middelton in Tesedale cu hamelettis valet p annu in redditib; ass^o firmis ⁊ alijs exitib; xvi^{li} xii^s vij^d q^a. It agistamentu foreste de Tesedale valet p annu lxs. It due ptes ville de Westewik ut in firmis Bondoz ⁊ coterelloz valet p annu xiii^{li} vj^d. It due ptes ville de Querington quas pdcus Epus intrauit in pdco fo scti martini rone forisf^otu^o pdce valent p annu cu molendinis xvi^{li} quas qd duas ptes eiusdē ville cu molendinis ⁊ alijs ptin suis Idm Epus p cartā suā dedit dno hen^o de Percy in feodo tenend de seipō iam sex annis elapsis. It medietas ville de Lāgeton ut in

firmis ⁊ ſuicijs q^a p̄dcus Eꝑus ſeſiuit in p̄dco ꝑo ſc̄i martini
 valet p annū x/lī p̄t̄ duas carucatas t̄re in ead̄ q̄ poſtea p mor-
 tē Will̄i de Faldirleye ad man^o d̄ci Eꝑi deuenerunt iam ſeptē
 annis elapſis que valent p annū ix/lī. Quas quid̄ duas caru-
 catas t̄r cū capital̄ meſ eciam p̄dcas x/lī reddit^o cū p̄tiñ in ead̄
 villa p̄dcus Eꝑus p cartā ſuā dedit Raðo filio Will̄i in feodo
 tenend̄ de ſeiþo et Idm Raðs p cartā ſuā dedit cuid̄ gilbo
 haunsard̄ valecto ſuo Centū ſolidat^o annui reddit^o in feodo te-
 nend̄ p̄cipiend̄ de Fimis eiꝝ ville de lāgeton. Iꝛ redditū
 aſſie libeꝛ tenēciū de hedlom cum brachina valet p annū lxixs.
 Iꝛ quodd̄ hōſpitale ſc̄i Joh̄is Baꝑte eſt in villa Caſtri Berñ qd̄
 fuit ex fundacōe p̄genitoꝝ p̄dci Joh̄is de Balliolo ⁊ de advo-
 cacōe eiꝝ Joh̄is t̄aq^a p̄tinēs ad Baroniam de Gayneforth in
 p̄dco ꝑo ſc̄i martini quo die Eꝑus ſeſiuit p̄dcā Baroniam ⁊
 Caſtrū ut p̄dc̄m eſt qd̄ quid̄ hōſpitale poſtea vacauit ſilicꝫ die
 ſab̄i in crastio ſc̄i Edmundi Reḡ anno p̄dci Reḡ Edwardi
 xxxiij incipiente p mortem dñi Robi de Morth^m cap̄llani qui
 cuſtodiam h̄uit tota vita ſua de dono d̄ci Joh̄is dum extitit ad
 pacē dñi lꝫ poſt c^o mortē p̄fat^o Eꝑus d̄cm hōſpitalē cū p̄tiñ
 ſeſiuit ⁊ illd̄ dedit c^od̄ Joh̄i de Hortoñ vicaꝛ de Akleye qui
 m^o illd̄ tenet ⁊ exit^o ⁊ expletia inde p̄cepit p h̄i^o occupacōm
 Et ſciend̄ qd̄ valet p annū in oībz exitbz iux^a vēm valorē cen-
 tū ſol̄ p q^bz cuſtos eiꝝ hōſpital̄ debet ibid̄ diuina celebraꝛ
 uꝛ unū ſac̄dotē ibid̄ miſſas celebrantē ad cuſt^o ſuos inueniꝛ p
 aīabz aīceſſoꝝ p̄dci Joh̄is de Balliolo fundatoꝝ eiꝝ loci.
 Inueniet ecia idm cuſtos t^busdecim paup̄ibz ibid̄ comorātibz
 potağ ⁊ ignē ⁊ ul̄m comodū dño Regi de p̄dc̄is hōſpital̄ ⁊
 cap̄lla ñ t̄m aduocāio eorund̄. Et dicūt qd̄ Robus Treynez
 tenet unū feod̄ mili. Iꝛm Raðs Surtoys tenet unū feodū mili.
 Iꝛ Denton ⁊ Egliſton debent unū feodū mili. Iꝛ Bolum ⁊
 Sledwys debet unū feod̄. Iꝛ Alwent ⁊ Heton ⁊
 medietas de Somerhous debet t^a quar̄ uni^o feodi. Iꝛm al̄ta
 medietas de Som̄hous debet octo ptes feod̄. Iꝛ Bernard^o de
 Lāgtoñ tenz xij ptes I feod̄. Iꝛ Raðs de Cotom tenet xij ptes
 I feod̄. Iꝛ Petr^o de Cyrezi tenz xij ptes I feod̄. Iꝛ Guido
 de Graunsard tenz xij ptes uni^o feod̄. Iꝛ Simon falconāꝛ
 tenet q^otuor ptes I feod̄. Iꝛ Joh̄es de Hedlom xxij ptes I
 feod̄. Iꝛ Adm de Hyndeley xxiiij p̄t̄ I feod̄. Iꝛ Ingeram^o
 de Balliolo tenet Dalton p iiij pte I feod̄. Iꝛm Gocelin^o de
 Weſtewik xij p̄t̄ I feod̄. Iꝛ herteburn debet xij p̄t̄ I feod̄.

Iť Huĝ de Lilleforth xij ptes I feod. In cui^o ři testiň huic inq'isicōi pđci Jurať dēis die loco 7 Anno siglla sua apposueřt Pretextu cui^o inq'isicōis dēus Robs de Clifford custos 7c seisiuit pđcm cast^m una cū oib; 7ris 7 teň q dēus Epus tenuit de Baronia de Gayneford 7 alias 7ras 7 teň šbscřpta q p 7tutē dēe inq'isicōis ad dñm Regē 7 ñ ad aliū ptiňe debēt 7 fecit cōstablař 7 alios ministros ad custodiend dcm Castrū 7 oĩa 7ras 7 teň modo debito. Iťa qđ dno 7 respōdeat de exitib; 7 cepit fidelitatē a libris hoib; ibid p'sentib; 7 insup seisiuit ad op^s dñi 7 oĩa bona 7 catalla in dēis Castro 7ris 7 teň inuenta.

Suñ 7raz 7 reddituū sp'tāciū ad baroniā de Gayneford 7 Castrū Berñ cū ptiň que die inq'isicōis capte seisiř fūint in manū dñi 7 C. iij^x. iij. li. v^s. ix^d. o q^u pť duas dotes q extēdūt p annum ad C. L. li. xiijs. iij^d. scđm vēdcm dēe inquisicōis. §§ Sm^a catalloz iučtoz infra casřm pđcm die q^o Epus seisiuit CC. li. q leuař fuerint ad op^s dñi 7 de bonis pđci Epi ibid invent.

M^d qđ seisina liberata fuit dno Guidoni Coñ Warř de pđcis Baroň 7 Castro cū suis ptiň p Thoň de Shefeld locū tenentę dñi Robi de Clifford custodis 7c die martis pñ post 4m Puř be Mař Anno dñi M^oCCCVJ Regni auť dñi R. E fñt R. H xxxv^{to} scđm form^a Carte dñi Regis q^a Idm Coñ ind ħt 7c.

Reg. Kellawe, p. 166; ac etiam in Reg. Bury, ad finem R. Kellawe, p. 270.

LV. — Carta Guidonis de Bello campo Comiř Warrewiř de Castro Berñ.

Edwardus dei grā 7c Archiepis 7c salřm. Sciatis nos p bono 7 laudibili seruičo quod dilcūs 7 fidelis ñr Guido de Bello campo Comes Warrwik noř hacten^o impendit dedisse concessisse 7 carta ñra confirmasse eidem Guidoni Castrū 7 Villam de Castro Bernardi 7 manñiū de middelton cū chacijs 7 alijs ptiň suis in Eřpatu Dunolm que fuerūt Johis de Balliolo inimici 7 rebellis ñri 7 que p forisřcm eiusdem tanq^a eschaeta ñra ad manus ñras deuenunt. H'end 7 tenend eidem Guidoni 7 ħdib; suis una cū feodis militū aduocačōnib; ecctiař 7 domoř religiosaz libtatib; libis consuetudinibus 7 omnib; alijs ad pđcā Castrū Villam 7 manñiū quoquo modo spectantib; adeo plene 7 integre sicut pđcūs Johes ea tenuit anteq^m ad manus ñras ut pđicatur deuenunt impetuū. Preřea volum^o

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